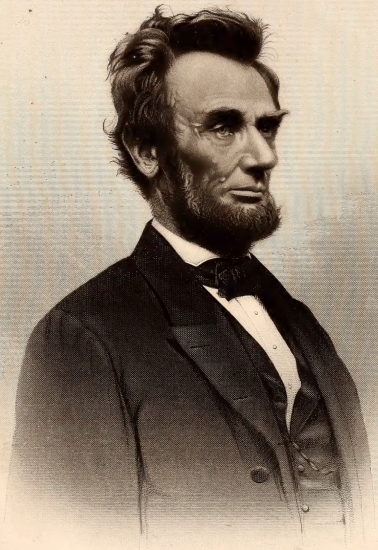
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Your friend, as ever
A. Lincoln

Hon. I. N. Arnold.

THE HISTORY

OF

ABRAHAM LINCOLN,

AND

THE OVERTHROW OF SLAVERY.

BY ISAAC N. ARNOLD,
LATE MEMBER OF CONGRESS FROM ILLINOIS.

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DEDICATION.

TO THE

MEMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATORS

COMPOSING THE

THIRTY-SEVENTH AND THIRTY-EIGHTH CONGRESS

OF THE

UNITED STATES.

GENTLEMEN: To you, in commemoration of many friendships which will be ever cherished, of an association which will ever be held in grateful recollection, and as an expression of my high appreciation of the patriotism, constancy, love of liberty, wisdom, and statesmanship, which, by your legislation and influence, contributed so largely to redeem and save the Republic, I desire respectfully to dedicate this work. It was your privilege to occupy a responsible position at the most critical period of our history. Under the lead of the Great Martyr whose work, with yours, I have on these pages attempted to record, you have rendered great service to our country. Those vast armies, whose victorious campaigns extended over half a continent; that great navy, which has made the United States "Mistress" at least of the Western "Seas;" that system of finance which has carried us, unaided by foreign loans, through the late stupendous war, were all created and sustained by your laws.

But more than all, above all, that ever treasonable, cruel and barbarous institution of slavery, has been "overthrown" by the President, aided and seconded by you. It was for you to abolish forever, slavery at the National Capital; to prohibit it throughout all the Territories; to repeal the Fugitive Slave Laws; to put the sword into the hand of the slave, that he might achieve liberty for himself, his family, and his race; and it was for you to crown all by the Constitutional amendment, abolishing and prohibiting slavery throughout the Republic. You stood close and ever faithful to our great National Leader, during his eventful administration; and by your aid he was enabled to maintain the integrity of the Nation; to establish National unity based on universal liberty.

Although many of you did not at first fully understand or appreciate the great, pure, honest, *long-headed* Statesman from the West, yet before he was so mysteriously removed, you had learned to love, honor, and respect him. *His* deeds and *yours* I have attempted on these pages to record. How imperfect the execution of the work, none can more fully appreciate than the author.

I have quoted from your debates far less than I would have done, had space permitted. Of many of those from whose speeches my limits did not permit me to quote, I can only say, that, if what is given shall direct attention to those rich mines of eloquence and statesmanship to be found in those volumes of the *Congressional Globe*, which contain the complete records of your speeches and transactions, they who shall study those volumes will be richly compensated.

In looking over your records, I recall the names of many who left the forum for the camp and battle-field. Among others there were Logan, Blair, McClernand, Fouke, Marston, Van Wyck, Divin, McKean, Curtis, Vandever, Dunn, and Baker, the martyred Senator.

And in running over the old roll-call of the Senate, I miss the names of the jovial, honest, and true Preston King; of those grave, learned, and able Senators from Vermont, Jacob Collamer and Solomon Foote; and of the genial Kinsley S. Bingham, of Michigan, and Governor Hicks, the Senator from Maryland, all of whom now sleep in death.

Of the members of the House who have been thus removed, there were Bailey, of Massachusetts, Gurley, of Ohio, Hanchot, of Wisconsin,

Noell, of Missouri; and to these must be added the names of Owen Lovejoy, the pioneer Abolitionist of Illinois, and the venerable John J. Crittenden; and who of us, that so often hung with delight upon his fervid eloquence, can ever forget the scholar, and genius of the House, Henry Winter Davis?

The work of crushing the rebellion and overthrowing slavery was consummated, with your assistance, by ABRAHAM LINCOLN. Had he lived, the work of reconstruction and reconciliation might now have been in good part accomplished. He knew so well how to temper justice with mercy, "with malice towards none, with charity for all, with firmness in the right as God gave him to see the right, he would have bound up the Nation's wounds," and achieved and cherished "a just and lasting peace among ourselves and with all nations." He fell a martyr to liberty, and his death has thrown heavier, graver responsibilities upon the American Congress. Yet when I see so many of the old leaders of the Senate and the House still at their posts, still enjoying the well earned confidence of the American people, I cannot doubt, but that which Lincoln began, they will consummate. With prayers for your complete success, I subscribe myself,

Very Respectfully Yours,

ISAAC N. ARNOLD.

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INTRODUCTION.

THE author of this book was a deeply interested observer, and in an humble way as member of Congress from Illinois, an actor during the administration of ABRAHAM LINCOLN; and he had the honor of enjoying his friendship, for twenty years previous to his election as President.

This work was begun during his life, and the author was honored and encouraged to go forward in its preparation by his approval. He trusts he may without vanity, hope to have contributed something of permanent value to the record (hereafter to be fully made up) of the last six most eventful years.

If he has been able to aid to any extent, the American people to a better understanding, and to a fuller and more just appreciation of the moral and intellectual character of Mr. LINCOLN, and the means by which slavery has been overthrown and the slaveholders' rebellion subdued, he will be amply rewarded for the labor bestowed.

In regard to the truthfulness and impartiality of the work, the author will only say that, while acknowledging frankly that all his convictions and sympathies have been with the cause of liberty and loyalty, he has not, consciously, done injustice to any.

The great struggle between liberty and slavery in the United States, substantially terminated with the martyrdom of ABRAHAM LINCOLN. The blow of the assassin which struck down the great apostle of freedom, was the last, malignant, expiring effort of slavery. The shot

which pierced the heart of Lovejoy at Alton, Illinois, and that which penetrated the brain of Lincoln, were alike aimed by that institution. The eradication of slavery from the republic was made certain by the death of the Great Emancipator.

It seems a fit occasion to pause at the end of this great drama, to look back over the record of the conflict, to recall the leading events which have marked its history; to do proper honor and justice to the great actors, and, especially, to trace the life and career of the greatest hero of the drama, by whose wisdom, fidelity to principle, truth, singleness of purpose, and boldness, the triumph of freedom has been accomplished.

The experiment of self-government in North America was, up to the period of the great slaveholders' rebellion, a most wonderful success. The settlement, growth, advance, union, independence and consolidation of the United States; the establishment, by the people, of a representative national government, and the rapid advance of the nation, up to the period of the civil war, have had no parallel in history. For nearly ninety years succeeding Independence, the career of the nation was a rapid course of prosperity and happiness. Freedom, general education, with security for person and property, developed and stimulated an industry, enterprise and energy, which produced results that outran the calculations of all the political economists.

The population of the United States which, at the time of its recognition by Great Britain in 1783, was less than three millions, in 1860, had reached and exceeded thirty millions. Thirteen sparsely settled states, stretching along the Atlantic coast, multiplied to thirty-three, bordering all the great inland seas; and organized society, crossing the great Father of Waters, found a pathway over the Rocky Mountains, and planted great states on the golden shores of the Pacific. This vast territorial area was being welded, connected and entwined together by a network of innumerable railways, telegraph lines, navigable rivers, roads and canals, into one great national unity. The school-house, the church, the newspaper, the library, the academy, the college and university, followed close upon the heels of the pioneer, bringing the means of intellectual and moral culture to every child. Labor was liberally rewarded; the emigrant from every clime was welcomed,—there was food and land

enough for all Meanwhile, the nation, respected abroad, its growth a wonder, — the land of hope and promise to the poor of every clime, — was looked upon by the friends of liberty and civilization, as demonstrating man's ability, safely, wisely, and judiciously, to administer the government. But there was one anomaly — one great disease preying upon the body politic — African slavery. This brought upon this otherwise happy country, the desolation and suffering of a five years' bloody civil war.

That has now passed away, and we are entering upon a new era; a destiny now dawns upon us of a great continental republic, freed from slavery, and based upon the grand idea of human liberty; recognizing God as the common Father, and the universal brotherhood of man.

I shall attempt to write a history of this conflict. There is no sublimer page in human progress, than that which I humbly attempt to record: the history of ABRAHAM LINCOLN, and the overthrow of Slavery in the United States. Preliminary and introductory to that history, I propose to give a rapid sketch of the "irrepressible conflict" between freedom and slavery, from 1789 down to 1860; the antagonism between liberty and slavery, so clearly stated by Mr. LINCOLN, in his Springfield speech, of June, 1858: "'A house divided against itself cannot stand.' I believe this government cannot endure permanently, half slave and half free. I do not expect the Union to be dissolved, I do not expect the house to fall, but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of Slavery will arrest the further spread of it, and place it where the public mind will rest in the belief that it is in course of ultimate extinction, or its advocates will push it forward, until it becomes alike lawful in all the states, old as well as new, North as well as South."

Slavery was ever the only seriously dangerous cause of division among the states. The people of our country were essentially one, with a common Anglo-Saxon lineage, a common religion; one in language, one in literature, and one in law and history. That portion of earth called the United States, is well adapted by physical conformation, to be the home of one national family, and not of many. Remove slavery, and the people would gravitate into a homogeneous nationality.

This antagonism, between free and slave labor, produced a great conflict of ideas, fierce, earnest, and violent; at last in 1861, it became a tremendous conflict, both of ideas and of arms; a conflict of thoughts and principles, of laws and constitutional enactments, as well as of vast armies; a conflict, the magnitude of which has no parallel in past history.

I shall attempt, rapidly, to describe this conflict, as it exhibited itself in Legislatures, and in the Halls of Congress, in the forums of courts, through the mighty modern engines of the press, on the stump, in the great arena of political conventions, and in the pulpit, and among the people. I shall follow it from the triumph of the slave power in the admission of the slave state of Missouri, to the triumph of free labor, in the admission of the free states of California and Oregon. I shall sketch the desperate and fierce struggle between freedom and slavery for Kansas; the first clashing there, by the belligerent forces, of the weapons of material war; the Sharpe's rifles of New England against the bowie-knives of the border-ruffians; the speeches of Beecher, Phillips and Sumner, against those of Atchison, Toombs and Mason.

I shall attempt to describe the prominent appearance, upon the political arena, in June, 1858, of ABRAHAM LINCOLN, the great leader, who thereafter was, so far as man could do it, to "guide the whirlwind and direct the storm." The prominent position of this great statesman of the West, will require that at this part of the record, I should pause, and enquire what had been the training and culture of this influential leader; what his preparation; and what manner of man this was, that so quietly and so gently, and yet so firmly grasped the helm, and directed the ship of state in accordance with public sentiment.

I shall describe the early life of LINCOLN; his career in Congress, on the stump, and at the bar. I shall sketch his great intellectual combat with Douglas in 1858; his wonderful power over the people; his nomination for, and election to, the presidency.

I shall then enter upon the great object of my work; the history, executive and legislative, of the administration of LINCOLN, and of the progressive steps which resulted in the overthrow of slavery in the United States. I shall narrate how this inexperienced, but vigorous statesman, with little knowledge of men and of affairs, guided by a

constant sense of duty, taking for his political compass and guide the great principle of the Declaration of Independence, "that all men are created equal," reposing unwavering faith and confidence in the people; and, with unshaken fidelity to national union based on freedom, never for a moment forgetting his responsibility to God;—how this self-made, self-educated man of the prairies, rising from the humblest position, simple, pure, humble, but firm, perfectly honest and truthful; how he was enabled to guide and control the government through this most stupendous civil war, to complete success; how he triumphed over all enemies; how he conquered the fierce rage and rancor of opposing factions and parties; how he subdued the prejudices of enemies, and forced the oftimes reluctant respect of other nations; how he organized and held together all the loyal people of the nation against its foes, and triumphed over, or healed all rivalries and divisions among his own political friends; composed the quarrels and jealousies of rival generals; triumphed over all the enemies of his country; securing ever the love and confidence of the people; crushing the power and machinations of rebels and traitors; restoring national unity;—and crowned his glorious life by becoming the emancipator and savior of his country.

This grand career, this great drama, of which LINCOLN is the leading spirit, is my theme. I shall trace events through these terrible convulsions, and truthfully exhibit LINCOLN, always calm, sagacious, inflexible, with a prophetic faith, seeing, hoping for, and comprehending the end from the beginning. This man, who "with malice towards none, with charity for all, with firmness in the right, as God gave him to see the right;" this man to whom, under Providence, was given the sublime mission to save his country, to emancipate a race, and to restore, or rather reëstablish and consolidate unity, based on liberty to all; this man,—his deeds, his services,—I shall attempt truthfully to delineate.

I shall also record the deeds of his able and efficient helpers, in the cabinet, in Congress, in the field, at the head of the press, and in private life. But the people themselves were above all leaders; and it was their energy, and patriotism, and self-denial, which saved the republic.

This young, enthusiastic and energetic people, themselves improvised armies, the numbers of which had no parallel; their ingenuity, industry

and invention, supplied arms, subsistence, and the material of war. By an intelligent knowledge of their resources, and of their country; by confidence in themselves, by severe taxation self-imposed, by an unselfish liberality, which literally placed the men, and the wealth, and the credit of the nation at the disposal of the government, they crushed this stupendous rebellion. This record of the deeds of this people I shall attempt to write, and to show that a government "of the people, by the people, for the people," is the strongest and most efficient, as well as the most benign and magnanimous of all governments. It will be seen by the student, that under the guidance of LINCOLN, the nation passed through the convulsions of this war, and retained intact the old, time-honored safeguards of individual liberty and security. They have come out of the contest in the full enjoyment of an independent judiciary, the *habeas corpus*, trial by jury, liberty of speech, and freedom of the press. In tracing these eventful pages, we shall see the American navy, from a small and comparatively feeble beginning, rise to become, unquestionably, the most formidable naval power on earth. Our fleets of iron-clads, gun-boats and vessels of war, surpassing those of Great Britain, our great rival in maritime power, and so long the mistress of the seas.

From a little nucleus of an army of fifteen thousand soldiers, we have become a military power, counting our trained fighting men by the million. The battle-fields of these four years of war, to which space will permit only brief and passing description, in the numbers engaged, in the sad list of killed and wounded, and in the terrible engines of destruction used, far surpass Blenheim, Leipsic, and Waterloo, and all the famous battle-fields of the Old World; and the soldiers and officers engaged, (truth compels us to say, on both sides,) exhibited a valor, courage, endurance, skill and heroism, unsurpassed by any naval or military conflicts in ancient or modern times.

It will be my duty, faithfully, to write the blackest, as well as the brightest page in history. The treason, perjury, and conspiracy of the rebel leaders, who, without one single, real substantial grievance, sought to overthrow a government which had been known only by its benefits, fix upon their hearts the guilt of all the sufferings of this war. The great slaveholders, having long ruled under the forms of the constitution,

when they saw that their power was likely to depart, refused submission to the legally expressed will of the people, and plunged the country into civil war. The blackest page of these annals, is that which records the barbarism and brutality produced by slavery; the moral degeneracy of a once noble race of men, becoming so depraved that their hellish passions developed a cruelty and malignity towards prisoners, black and white, unknown in the history of civilized nations. It is slavery alone which can produce men who will murder defenceless prisoners on the field of battle, after resistance has ceased, and starve them to death, as a means of carrying on war. Of such a race, it is not surprising that in their extremity, they should resort to incendiarism, and murder, and assassination.

The record I write will show the development and gradual growth of a sense of justice towards the black race, until it terminated in their emancipation and their recognition as men. The rise and rapid advance of this long servile race, from the slave to the "contraband," from the "contraband" to the freedman, and from the freedman to the soldier, from the soldier to the citizen, vindicating his manhood on the field of battle, and his claim to citizenship by obedience to law and loyalty to the flag.

This terrible civil war, this baptism of blood, through which the nation has passed, has purified and ennobled it. The soldiers of Grant and Sherman, Thomas and Sheridan, who marched from Cairo to Savannah, from the Potomac to New Orleans, will feel that the country is now doubly dear to them. They have bled for that country; and not a family in the land but has given its sacrifice to death, that the Republic might live. In so glorious and imperial a manner have the American people fought this great struggle for liberty, so grand is the theatre of their future, that the imagination does not set bounds to their coming greatness.

ABRAHAM LINCOLN,

AND THE

OVERTHROW OF SLAVERY.

CHAPTER I.

SLAVERY FROM 1788, TO THE COMPROMISE MEASURES OF 1850.

OPINION OF THE FATHERS UPON SLAVERY—ORDINANCE OF 1787—EARLY ABOLITION SOCIETIES—SLAVERY ABOLISHED IN THE NEW ENGLAND STATES, NEW YORK, PENNSYLVANIA, AND NEW JERSEY—COTTON AND SLAVERY—LOCATION OF CAPITAL AT WASHINGTON—FUGITIVE SLAVE LAW OF 1793—ADMISSION OF TENNESSEE, ALABAMA AND MISSISSIPPI, AS SLAVE STATES—PURCHASE OF LOUISIANA AND FLORIDA—MISSOURI COMPROMISE—SEMINOLE WAR—ANNEXATION OF TEXAS—MEXICAN WAR—WILMOT PROVISO—CALIFORNIA—ANTI-SLAVERY CONVENTION—SUPPRESSION OF RIGHT OF PETITION—JOHN QUINCY ADAMS—JUDGE HOAR'S MISSION—ABOLITION, LIBERTY AND FREESOIL PARTIES—COMPROMISE MEASURES OF 1850.

IT is historically demonstrable that the framers of the Constitution in shaping that instrument, tolerated the existence of slavery as a temporary evil, which they regarded as incompatible with the principles of liberty embodied in the Declaration of Independence, upon which they intended to base our institutions. They believed that it was in the course of gradual extinction. It is clear that they never intended it should be a permanent institution, much less that

it should extend beyond the limits of the States in which it then existed. The hostility to slavery was so general, that it is believed the Fathers would have embodied abolition as a part of the Constitution, had they not supposed it would soon disappear before the peaceful moral agencies then operating against it. They confidently hoped that public opinion, expressing itself through the press, the religious organizations, public discussion, and rendering its final verdict through the ballot, and securing favorable legislation through State and Congressional action, would secure universal liberty "throughout the land to all the inhabitants thereof." General Washington in a letter to Robert Morris, written in 1786, speaking of slavery, said: "There is not a man living who wishes more sincerely than I do, to see a plan adopted for the abolition of it." The great leading lawyer and patriot of Maryland, Luther Martin, advocated the abolition of slavery in the Federal Convention of 1787; so also did William Pinckney, in 1789, in the Maryland House of Delegates. The Ordinance of 1787, by which freedom was forever secured to the Northwest, and to the great States of Ohio and Illinois, Indiana, Michigan, and Wisconsin, was by far the most important anti-slavery measure in American history, between the Declaration of Independence and the great Proclamation of Emancipation by Abraham Lincoln. Its influence has been decisive, on both the moral and martial conflict. Without the votes and influence of the great free Northwest, the offspring of this ordinance, slavery would have triumphed and carried its sway all over the land. It is very true that the love of liberty fostered by the free schools of New England, beginning like a rivulet among her granite hills, gradually widened and expanded until it became a mighty stream; but it was the broad and majestic torrent from the Northwest, like its own majestic Mississippi, which gave to the river of freedom, volume, and power, and irresistible strength, until it broke down all opposition, and swept away and overwhelmed all resistance.

The period immediately following the revolution, is full of evidence that many of the leading men of nearly every State looked upon slavery with abhorrence, and were impatient for

its entire abolition. Mr. Iredell of North Carolina, said in the convention which adopted the Constitution, "when the entire abolition of slavery takes place, it will be an event which must be pleasing to every generous mind and to every friend of human nature." It was with such views, hopes and expectations on the part of leading statesmen of that day, that the Constitution was adopted. The Constitution itself was based on the great idea embodied by Jefferson in the Declaration of Independence, "that all men are created equal."

This grand idea which Jefferson made the corner stone of our National Independence, we shall have occasion, bye and bye to see, was the basis of Mr. Lincoln's political creed, the key-note of his administration; the foundation of that political system which he carried out fully by his Proclamation of Emancipation, and the amendment of the Constitution abolishing and prohibiting slavery forever.

In order that slavery might be brought to an end, provision was made in the Constitution that the slave trade might be prohibited by Congress after the year 1808.

It ought to be stated in vindication of the early statesmen of Virginia, that they appreciated the injustice and wrong of slavery, and that as early as 1772, the Legislature of that Commonwealth addressed the King of Great Britian, exposing the inhumanity of Slavery, and expressing the conviction that it was opposed to the security and happiness of the people, and would, in time, endanger their existence. The King in reply, answered, that "upon pain of his highest displeasure the importation of slaves should not be in any respect obstructed."

"Pharisaical Britain," said Benjamin Franklin, referring to the Somerset case, "to pride thyself in setting free a single slave that happened to land on thy coast, while thy laws continue a traffic whereby so many thousands are dragged into a slavery that is entailed on their posterity." *

Mr. Jefferson said during the war, "The way I hope is preparing, under the auspices of Heaven, for a total

* Bancroft's oration upon Lincoln.

emancipation." No candid historical student but will endorse the statement that the current of public sentiment, following the war, and cotemporary with the adoption of the Constitution was strongly in favor of emancipation; abolition societies were formed in many States, at that period, of which the leading statesmen of the day were members. The abolition society of Pennsylvania was formed in 1774, and enlarged in 1787, and Dr. Benjamin Franklin was made President, Dr. Rush and other very distinguished men were members.

The abolition society of New York was formed in 1785, of which that great and pure man, Chief Justice John Jay, was the first President, and the second was the statesman, soldier and financier, Alexander Hamilton. Similar societies were formed in Rhode Island, Connecticut, Maryland, Virginia and Delaware. Men of the highest official and social position were prominent and active members. Memorials and petitions were sent by them to Congress calling for abolition. Mr. Jackson a member of Congress from Georgia, said: "It is the fashion of the day to favor the liberty of the slave." At this period of our history the religious sects often passed resolutions denouncing slavery, and Christians almost universally bore testimony against it as immoral and against the spirit of the teachings of Christ. The Methodist, the Presbyterian and the Baptist denominations were especially emphatic in their denunciations. The sentiment and conviction against slavery was so general and extended, that it caused the abolition of slavery in a majority of the old thirteen States; and in the Convention which framed the Constitution of Kentucky an effort was made to prohibit slavery which came near being a success, and which would have prevailed, but for the powerful influence of the two great slaveholding families of Breckenridge and Nicholson. The head of the Breckenridge family at that time was the grandfather of John C. Breckenridge, the late senator from Kentucky, expelled from the United States Senate as a traitor. Upon the heads of these two families, especially, rests the fearful responsibility of that beautiful State's being cursed with slavery.

In 1777, Vermont formed her Constitution which prohibited slavery. It is the tradition that soon after the

revolutionary war, a suit was brought before a Vermont Judge involving the title to a negro. The plaintiff produced a regular bill of sale of the negro to himself, and rested his case; the Judge then inquired, "How did the man you bought of, acquire title?" A regular bill of sale to him was produced. "But," said the Judge, "how did this man acquire title?" Mr. Attorney, "continued the Judge, addressing the counsellor for the plaintiff, "nothing will be regarded as evidence of title to a *man* by this court, but a bill of sale from Almighty God. Unless you can procure that, your case will be dismissed."

It was judicially settled in Massachusetts, that slavery could not exist under the Constitution of 1780, which declared "all men are born free and equal." Indeed as early as 1770, a case was made up by the negroes to test the legality of slavery—and they obtained a decision in favor of freedom. Various cases were tried in the courts of that State, and the decisions were uniformly against the validity of holding persons as slaves.

Chief Justice Shaw suggests that slavery may have been abolished in Massachusetts by the Declaration of Independence. However that may be, he says it was clearly abolished by the first article of her declaration of rights, viz.: "all men are born free and equal, and have certain natural and essential rights—which are the rights of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property." It is a fact worthy of note that it had been decided in Massachusetts, two years before the Summerset case, that slaves could not exist in that State. The decision was placed upon the same grounds upon which Lord Mansfield discharged Summerset.

In New Hampshire, slavery was abolished by the declaration of rights in 1784. Rhode Island, provided by law that all persons born in that State after March, 1784, should be free. Connecticut, in 1784, passed a law for gradual abolition. Pennsylvania, in 1780, passed a law for gradual emancipation. In 1799, New York adopted measures for gradual emancipation, and New Jersey in 1804.

Slavery was thus rapidly disappearing. Peaceful agencies would have soon made the republic all free, and saved us from the late terrible war of the slaveholders, but for the introduction of new elements. The most important of these was the invention by Whitney, of the cotton-gin, and the vast addition of new and virgin territory adapted to the growth of cotton by negro labor. The immediate and enormous profits of cotton growing gave a power to slavery never before felt. Then immediately arose a gigantic pecuniary interest which found its gains in slavery. A powerful cotton and slave aristocracy soon grew up, which in its arrogance, in progress of time proclaimed that "cotton is king." An immense property interest invested in the production of cotton, owning lands and negroes, was organized at the South, and soon there arose in sympathy to some extent with it, a powerful cotton manufacturing interest at the North, and these two were interwoven into the web of the slave power. It has been said that when Jay negotiated what is called "Jay's treaty" with England, in 1794, he did not know that cotton was an article of export, so small was then the quantity of this staple product.

The slaveholders, relatively few in number, now united and became a compact, active, determined, overbearing, despotic, unscrupulous power. They became skillful politicians. They subsidised by money, and secured in their interests by the rewards of official position, many of the ablest and most talented men of the country. The free States, and especially the honest, liberty loving masses of the people, absorbed in material pursuits, engrossed in the labor of subduing the forests and reclaiming a continent; in building towns, cities, schools, churches, colleges, canals and railways, were kept divided, and were ruled by the adroit and skillful politicians of the slave States.

From this time a great change in the sentiment of the people, as expressed through the press, in churches, and in the action of the government was manifest, until slavery dominated over the nation.

The religious organizations, and the voluntary benevolent associations soon ceased to protest and bear witness against

slavery, and many of them went so far as to give to the institution their countenance and support.

Very soon after the adoption of the Constitution, the slave power — vigilant and sagacious for its security — began to concentrate and entrench itself. Congress, in 1790, accepted from North Carolina, the territory now forming the State of Tennessee, upon condition that that portion of the Ordinance of 1787, which secured freedom, should not be applied to it, and that no regulation should be made by Congress, which would tend to emancipate slaves. Following this came in 1796, the admission of Tennessee as a slave State.

The Capital of the Republic was, in 1790, located at Washington, in the District of Columbia, upon territory ceded for that purpose to the United States by Maryland and Virginia; and all the slave laws of these two States in a mass were extended over this territory, by which slavery was continued, *in territory over which Congress had exclusive jurisdiction and control.* This was a most important triumph of the slave power.

The Capital, to a considerable extent, gave tone to the national sentiment and opinion. This location of the Capital on slave territory, secured for slavery the sway of social influence and fashion. The power of Washington society and public opinion over the Executive, Judicial, and Legislative Departments of the government is felt to this day. There was ever in it, down to the time of the advent of Lincoln, a pro-slavery atmosphere, in which the officials of the government lived and moved and had their being. This atmosphere was never purified, until the thunderbolt of freedom and emancipation came during the administration of Abraham Lincoln. This location of the Capital gave to the aristocratic element the power of social ostracism, towards the friends of liberty, which was used for years with a tyranny and contemptuous pride and arrogance, which could only be found in an organization of slaveholders to uphold slavery.

The fugitive slave law of 1793, was passed to enable the master to follow the fugitive seeking freedom; a law which in the light of to-day would be held by the Supreme Court of the United States a violation of the Constitution. The

progress of the slave power was manifested by several Congressional enactments, designed for its protection.

In 1810, it was enacted by Congress that none but free white persons should be employed in carrying the mails. It had been already provided that none but white persons could be naturalized, or serve in the militia.

In 1802, Georgia ceded to the United States the country lying between her present Western boundary and the Mississippi, carefully stipulating that the Ordinance of 1787, should be extended over it, excepting that clause which prohibited slavery. From this cession came the slave State of Alabama—admitted into the Union in 1819—and the State of Jefferson Davis, Mississippi, admitted into the Union in 1817.

In 1803, the United States purchased for fifteen millions of dollars from France, the territory of Louisiana, where, at that time, there were 40,000 slaves.

In 1819, the United States purchased of Spain, the territory of Florida. From Louisiana were carved three slave States—Louisiana admitted in 1812 — Missouri, in 1821, and Arkansas, in 1836. Florida was admitted in 1845. Thus the slave power had secured four new slave States from the original territory of the United States, viz.: Kentucky, Tennessee, Alabama and Mississippi; and from new territory purchased for its expansion, it had secured four other States, namely: Louisiana, Missouri, Arkansas and Florida. Not yet content, but still eager, and grasping power, the slaveholders determined to extend slave territory still further South, and as the first step, it resolved that Texas should be annexed. The leading slaveholding statesmen now boldly declared that Texas would make slavery secure, "it will give a Gibraltar to slavery," said one of them. The slave power pursued its purpose with sagacity and vigor, striking down and politically sacrificing every statesman who opposed its demands; especially all who threw obstacles in the way of this measure, which they regarded as vital to slavery.

Martin Van Buren, Thomas H. Benton, and Silas Wright, were among the more prominent victims sacrificed by the slaveholders because of their opposition to this scheme. It

was finally accomplished by Calhoun and Tyler, in 1845, by joint resolution of both houses of Congress. Thus slavery had secured nine slave States and eighteen Senators, to protect the institution in what was called the great citadel of its power, the United States Senate.

The free States saw these vast accessions of political power in the hands of slaveholders, with uneasiness, and murmurs loud and deep began to be heard, but the cotton growing and manufacturing aristocracy rebuked these murmurs, and cried, peace, peace, to those who agitated for freedom. They seemed willing that the statesmen of the slave States should rule the country, if they might go on uninterrupted in their gains.

A most vigorous and determined effort was made to resist the encroachments of the slave power, when the attempt was made to admit Missouri as a slave State. The contest over this question continued from 1819, to 1821, and was finally settled by what has been since known as the Missouri compromise, which was, that Missouri should be admitted into the Union as a slave State, without restriction, and that all territory North and West of Missouri, above latitude 36° 30″ should be forever free.

The admission of this State was, on many accounts, a great epoch in the struggle between freedom and slavery. Both parties on this occasion put forth all their strength. Both were aroused to the inherent antagonism between each other. The contest was terminated by a victory of the slaveholders, and by a compromise long considered binding on both sections. A compromise which Douglas himself declared to be a sacred thing which no "ruthless hand would ever be reckless enough to disturb."

The importance of Missouri was not fully appreciated by the free States at that time. If Missouri had been introduced as a free State it would have been decisive of the controversy, and might have saved the republic from a long and bitter controversy—perhaps from the great civil war.

As a free State, Missouri would have been the centre of colonization from which free labor would have passed along the valleys of the Mississippi, the Missouri and the Arkansas,

to the West, and to Northern Texas. As a slave State it crowded off the current of free labor to the Northwest. By this success the slaveholders secured the most commanding position in Central America, and prolonged the power of slavery for forty years. From that time until 1860, the control of slavery over the Federal Government was paramount. Free labor triumphed in California, and in Kansas, but by no aid of the Federal Government, and against its active influence.

From the Missouri struggle down to the Mexican war, the control of the slave power in the Federal Government was decided. The slaveholders always possessed a great advantage in that clause of the Constitution which gave them representation for their slaves. Under this clause a slaveholder owning five thousand slaves had a power in Congress, and in the electoral Colleges for President and Vice President, equal to that of three thousand freemen. Practically his power was far greater, because the slaveholders, few in number, bound together by a common interest, were ever a compact, vigilant, and sagacious body. Thus there grew up substantially, an order of nobility, an aristocracy of slaveholders at the South. The intellect of that portion of the Union was absorbed in politics, while in the free States it was engaged in all the varied pursuits of civilization. The mind of the free States was active in inventing labor-saving machinery; it produced the steam-engine, the cotton-gin; the electric telegraph; the reaping machine; it was opening canals; constructing railways; rivaling the world in ship building; creating a National literature; schools of painting and sculpture; and competing successfully with Europe in mechanism, in the products of skillful labor, in learning, science and the fine arts. The slave States, although in a minority, largely monopolized the offices of power, profit, and influence under the government. They selected their ablest men, and trained them for, and kept them permanently in public life; while at the North a principle of rotation in office, kept many of its ablest men out of public life, and those who entered, held office for so short a period, that their ability to

direct and govern, to make and administer the laws of the land, was greatly lessened.

Thus the slave power, ever watchful, a unit, grasping power, seized and held the reins of government.

The Capital of the Republic under these influences became a great slave mart. The old Commonwealth of Virginia, with her stern republican motto, "*Sic semper tyrannis*," sought wealth, and found poverty, and barbarism, in breeding slaves for sale to the cotton States on the Gulf of Mexico. The whole power, moral, political, and physical of the government, was wielded to uphold and maintain slavery. The Federal Government interfered to prevent emancipation in Cuba. It refused down to 1862, to hold diplomatic intercourse with Hayti, because it was a Republic of emancipated slaves.

The United States made war upon the Seminole Indians—a tribe occupying a portion of Florida, because that tribe furnished refuge and asylum for escaped slaves. This Seminole war has been well described by a regular officer of the United States Army, as an extensive slave hunt, in which the United States were the leaders and slave hunters. The romantic hero of that war, Osceola, married a beautiful woman with some African blood in her veins, and his children and their mother were seized, carried off, and sold as slaves. The heroic Chief made a very gallant fight, but was most perfidiously, shamelessly entrapped and captured, while holding a friendly talk under a flag of truce. This was a sample of the "chivalry" produced by slavery! Yet such was the lethargy on the subject, that even such acts of atrocity did not arouse the American people to the barbarism of slavery.

It has already been stated that the slave power, desiring Texas, annexed and appropriated it. This was done while Mexico was yet carrying on war for its reduction. But all the acquisitions of slave territory already secured were not sufficient; the slaveholders determined to acquire additional territory South, for the expansion of their institution. Governor Wise, of Virginia, announced the purpose of the slaveholders in Congress, by declaring "slavery should pour itself abroad and have no limit but the Southern Ocean."

This grasping spirit overreached itself, as will presently be seen. At last it had aroused the too long dormant lion of freedom. The slaveholders, after exhausting their cunning in seeking to provoke Mexico to declare war, sent to that Republic the unscrupulous and wily Slidell, (late the emissary of the insurgents to Louis Napoleon,) to provoke her to an act of hostility. He too failed, and the administration then marched an army upon Mexican soil, and declared war upon Mexico. On the 7th of July, 1845, a proclamation was issued by Commander Sloat, declaring that "California, (then a Mexican province,) now belongs to the United States."

The war against Mexico was openly proclaimed to be a war for conquest. The United States wanted California and other Mexican territory. Mexico refused to sell; war was then made upon Mexico, weak and unable to resist, and the territory taken. The gallant and adventurous Fremont scaled the Rocky Mountains and took possession of that land of gold. Generals Scott and Taylor marched their armies at will through Mexico. The pro-slavery administration of President Polk, desiring to secure by treaty, these acquisitions, in 1846 asked an appropriation of two millions with which to negotiate peace. To this appropriation David Wilmot, member of Congress from Pennsylvania, offered a proviso, known in history as the *Wilmot proviso*, which provided that it should be "an express and fundamental condition in the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty that may be negotiated, and to the use by the Executive of the moneys hereby appropriated, that neither slavery nor involuntary servitude should ever exist in any part of said territory, except for crime, whereof the party should first be duly convicted." This proviso was adopted by the House, but was not at that session of Congress, brought to a vote in the Senate. At the next session President Polk asked an appropriation of three millions for the same purposes, and to this the Wilmot proviso was again attached in the House, by a vote of 115 ayes to 106 noes. The proviso was rejected by the Senate by a vote of 21 ayes to 31 noes. The bill being

returned to the House, was finally, after a furious struggle, passed without the proviso.

In the negotiations which followed, Mexico, sought to make it the condition of the cession of territory, that as it was then free, slavery should be excluded from all territory thus acquired. The United States' Minister peremptorily refused to treat on this basis declaring that "if the whole territory were offered, increased ten fold in value, and covered a foot thick with pure gold, upon the single condition that slavery should be excluded therefrom, he would not entertain the idea for a moment, nor even think of communicating the proposition to Washington."

Such was the *animus* of the Mexican war, and such the imperious arrogance of slavery.

New Mexico, and upper and lower California, were ceded to the United States without restriction, and the slaveholders were now exultant. They now believed in the indefinite extension of the slave empire. But the days of their supremacy were drawing to an end; there is a Divinity that shapes and moulds the destinies of nations, however men may craftily plan and arrange them.

It was in 1847, during the Mexican war, that Abraham Lincoln served for a single term in Congress. He took his position at once among the anti-slavery members, and voted as he afterwards said, at least forty times for the Wilmot proviso.

The future great leader of emancipation introduced a bill to emancipate slaves in the District of Columbia.

The "*irrepressible conflict*," and the aggressions of the slave power have thus been briefly sketched.

That power had by its control of the Federal Government, purchased and conquered, annexed and acquired, more territory for slavery than that embraced in all the thirteen original States. It had made war and peace in its own interests. It had controlled all parties. It had dictated to each the selection of its Presidential candidates, and it had carefully and stealthily strengthened itself in the Federal Judiciary. Fealty to slavery was a condition to all appointments under

the Government. Bold, honest, outspoken fidelity to freedom was fatal to political ambition.

But these aggressions had aroused the attention and awakened the indignation of the free States. A few zealous and determined men called at Philadelphia, in December, 1833, a National Anti-Slavery Convention. It was attended by sixty delegates from ten States. This convention organized the American Anti-Slavery Society. This was the acorn germ of that oak, the branches of which, in 1860, overshadowed the land. This and other kindred associations, were the beginning of the organization which twenty-seven years thereafter, effectively aided in the election of the Illinois backwoods democrat to the Presidency. Lundy, Garrison, Wendell Phillips, Owen Lovejoy, Gerrit Smith, Dr. Channing, John Quincy Adams, J. R. Giddings, Henry Ward Beecher, Cassius M. Clay, were among the pioneers of those, who, differing as to means and views, yet in various ways sought to arouse the public mind to the dangerous encroachments and enormities of the slave power.

Among the most worthy, persistent, and distinguished of these founders of the anti-slavery organization, was William Lloyd Garrison. His name should be forever associated with the emancipation of the slave. His life has been devoted with unselfish singleness of purpose to this great object. Consecrating himself to this grand aim he lived to see it triumph. For more than forty years, through poverty, persecution and indignity, he gave his pen and his voice with great intellectual and high moral power to pleading the cause of the poor, down-trodden, despised African. When the morning of final triumph dawned, he visited President Lincoln at the White House, to thank him for the proclamation of emancipation, and himself received from the lips of that great man, the thanks of humanity as one of the pioneers in the great work of emancipation.

The anti-slavery men and abolitionists, frequently encountered mobs and personal violence. Their printing presses were destroyed, and they themselves persecuted like the early christians. The newspaper press of Rev. Elijah P. Lovejoy was destroyed at Alton, Illinois, and he was murdered

because he firmly persisted in discussing slavery. This was in 1835, and he was the first martyr in the contest for liberty and a free press. Pennsylvania Hall, erected for free discussion, was burned by a mob because abolitionists were allowed to hold meetings there. At Cincinnati, Ohio, a mob destroyed for the third time the printing press of an anti-slavery paper. Large pecuniary rewards were offered by Governors of slave States for the persons of prominent men in the free States, because of their opposition to slavery.

Governor Wise of Virginia said, "the best way to meet abolitionists is with powder and cold steel." He has been a leader among those who tried the experiment. Verily he sowed the "wind, and has reaped the whirlwind." The house of this proud aristocrat has, during the war, been used as a school house for negro children, taught by a New England abolitionist. Governor McDuffie, of South Carolina, recommended that abolitionists be punished with death without benefit of clergy. Under the administration of Amos Kendall, the United States mails were violated to suppress the circulation of anti-slavery documents. Fruitless efforts were made in New York, and in the legislatures of several of the other free States, to suppress by penal enactments, freedom of speech and of the press on the subject of slavery. These efforts failed, and seemed only to increase the numbers and stimulate the zeal of the friends of freedom. Neither mob violence, nor threats of legal penalties could silence the eloquent voices, nor stop the pens of the advocates of liberty. The abolitionists flooded Congress with petitions praying for the abolition of slavery at the National Capital. These were suppressed by what was known as "*gag rules*," by which it was declared that petitions on the subject of slavery should neither be received, read, nor considered by Congress. The right of petition on this subject was suppressed in the American Congress from 1836 to 1845.

John Quincy Adams was probably the most cultivated and best trained statesman our country has produced; educated by his father with express reference to public life, he enjoyed the best advantages both at home and abroad, and had the benefit of association with the best intellects of Europe and

America. His memory was wonderfully ready and retentive, and he contined to grow in intellect even to advanced years, and well deserved the name of "the old man eloquent." With all the courage and persistence with which his noble father had advocated Independence, he advocated the right of petition. Commencing in Congress almost alone, he bravely withstood the violence and denunciation, the threats and insults of the slaveholders, until gradually he aroused the people and they rallied to his aid. District after district gradually sent champions to his side, until finally, in 1845, the obnoxious gag rules were abolished and the right of petition vindicated. He not only by his eloquence, courage and persistence, triumphed and secured the right of petition in Congress, but introduced an amendment of the Constitution abolishing slavery throughout the United States. This proposition he submitted on the 25th of February, 1839. The institution was then far too powerful to be even shaken by the efforts of any man, however great. It was suffered by Providence to go on in its course of aggression and imperious power, until it should dig its own grave and die a suicide by the very means by which it undertook to overthrow the Government.

In 1835, South Carolina enacted a law providing that colored persons coming into her ports, should be imprisoned during the stay of the vessel in which they came. Many colored citizens of Massachusetts were thrown into prison under the provisions of this law. The validity of which law and the legality of such imprisonment, Massachusetts denied, and the Governor of that Commonwealth commissioned a venerable citizen, Judge Hoar, to go to South Carolina, investigate the facts and institute suits in the Federal Courts to test the validity of this statute. Judge Hoar was ignominiously expelled the State by a mob, countenanced by the authorities of the State; while in the free States the outrages and violence of mobs, and the various persecutions to which the anti-slavery men were subjected, served only to add to their strength, and encourage their rapid increase; in the slave states, liberty of the press and freedom of speech on the subject of slavery were completely suppressed.

Anti-slavery men in the slave States could obtain no redress for any outrage. The slaveholders in the slave States had practically subverted the Constitution and established a despotism on its ruins. The bludgeon and the bowie knife were the ready instruments to suppress the printing press, and silence the freeman's voice. Civil liberty ceased to exist there. The old fundamental principles of liberty embodied in *Magna Charta* and the Declaration of Independence ceased to have practical existence. The despotism of the oligarchy was supreme. Neither at the bar, nor in the pulpit, neither from the newspaper, the stump, nor from the bench; among the people, before the courts, nor in the legislative halls, was the voice of liberty secured by law, permitted to be heard. Negroes, fugitives from slavery, were scourged, whipped, and in some cases burned to death. The literature of the English language, school books, and books upon religion, literature and painting, were expurgated, and the generous, manly, eloquent utterances of liberty, stricken from their pages. Such was the dark despotism which settled over the land of Jefferson and Washington. It was against such a power, represented by an aristocracy of slaveholders, many of whom were vulgar, gross, licentious, boasting, cruel and treacherous, that the free spirit of the North now rose and grappled.

The slaveholders knowing the devotion of the free States to the Union, and the forbearance of the North, habitually threatened disunion whenever necessary to carry a point.

Indeed, in the light of to-day, it is clear that a conspiracy to dissolve the Union as soon as they ceased to govern it, and establish a slaveholding Confederacy, had long existed at the South.

The impartial historian will find in the celebrated Kentucky and Virginia resolutions of 1798 and 1799, the germ of secession and the rebellion. These resolutions were communicated to the several State Legislatures, but adopted by none, and their author, Madison, subsequently explained and repudiated them. They declared among other things, that, the States, "as in all other cases of compact among powers having no common judge, each party has an equal right to

judge for itself as well of infractions of the compact as of the mode and means of redress."

It is not surprising that Wise, of Virginia, and Breckenridge, of Kentucky, quoted these resolutions in defence of their treason. Nor that Calhoun and Hayne brought them forward in 1832, as a precedent for nullification, but they were then crushed by the inflexible will of Jackson, the eloquence of Clay, the statesmanship of Edward Livingston and the overwhelming logic of Webster.

Notwithstanding the complete and crushing overthrow which this heresy received at the hands of Webster, in the United States Senate, South Carolina, by a State Convention, declared her withdrawal from the Union, and her determination to proceed to organize a separate State Government. Her Governor announced his paramount allegiance to South Carolina. So did the traitor, Robert E. Lee, announce his paramount allegiance to Virginia, and drew his sword against the flag he had sworn to defend. South Carolina prepared for an armed collision with the National Government. She made the tariff the pretext for her revolutionary proceedings. Congress, weakly, under the menace of impending war, modified the obnoxious tariff, and the South Carolinians retraced their steps. The modification of the tariff at that time, and under the circumstances, was a great error. President Jackson desired to vindicate with arms and through the judicial tribunals of his country, the supremacy of the Constitution and the laws. Had this been done and some of the ringleaders tried and executed as Jackson wished, possibly the necessity or the occasion of such vindication through the late terrible civil war might not have occurred. Jackson sent General Scott with a naval and military force to Charleston to maintain the National authority. The contrast between the course taken by the iron Jackson in 1832, and the imbecile, if not treacherous Buchanan, in 1860, is as striking as the difference in the two men.

The encroachments of the slaveholders and the subservience to them of the Whig and Democratic parties, led in 1839, to the formation of a party in direct antagonism to

slavery, called the abolition party. The seeds of this organization had been scattered by the writings of the fathers of the revolutionary period; its growth, nurtured by the persecutions and blood of martyrs to free speech and a free press; its aims and objects promoted by the teachings of Jefferson, Jay, Channing, John Quincy Adams, William Leggett, Whittier, Horace Mann and many others. This small party, full of fiery zeal, and ardor, and talent, placed itself in direct antagonism to the gigantic institution of slavery. It boldly grappled with a power which at that time held and had long controlled, the National, and most of the State Governments; dominated over parties, ruled the churches, the press, the financial and business interests of the country. A power whose social influence was despotic, which held both the sword and the purse of the nation; which filled every office from President to the village Postmaster. This small party, armed with truth and right, met this gigantic despotism, and in the end triumphed over it. Although the vote which it polled at the first Presidential election at which it voted separately, was but a few thousands, yet its influence upon popular sentiment was felt and rapidly increased. At the Presidential election of 1840, its vote had increased more than ten-fold. The ability, eloquence, and genius displayed by its publications and the power of its orators, greatly aided by the encroachments, the cruelties, and arrogance of the slave power, prepared the way for the *Free Soil party of* 1848.

In that year, the whig party having nominated General Taylor as its candidate, and the democratic party having refused to nominate Mr. Van Buren because of his opposition to the annexation of Texas, and nominating General Cass, and both parties refusing to take position against the extension of slavery, the liberty party, uniting with the earnest anti-slavery men of all parties, met at Buffalo in June, 1848.

The whig convention had refused to adopt any platform of principles; it had refused to declare itself against the extension of slavery into the territories. The Buffalo convention nominated Martin Van Buren for President, and Charles Francis Adams for Vice President. It was attended by

delegates from all the free States, and from Maryland, the District of Columbia, Delaware and Virginia. Among its leading members were Salmon P. Chase, Charles Sumner, Benjamin F. Butler, Preston King, Joshua R. Giddings, Charles Francis Adams, and many others scarcely less distinguished.

This memorable convention gave a great impulse towards the final triumph of freedom. After reciting the action of the democratic and whig conventions, the convention declared its conviction of the necessity of announcing its independence of the slave power, and its determination to rescue the Government from its control. The delegates solemnly resolved to stand on the National platform of freedom against the sectional platform of slavery—that, while they disclaimed the power to interfere with slavery in the States, that Congress had the power and ought to exercise it, of prohibiting slavery in all the territories of the United States; that Congress has no more power to make a slave than to make a King—no more power to establish slavery,than to establish monarchy. To the demand for more slave States, and more slave territory, their answer was, "No more slave States,and no slave territory." The convention demanded freedom, especially for Oregon, California,and New Mexico.

The leaders of this organization embodied ardent enthusiastic democrats, and liberty loving whigs, filled with zeal against slavery; and mingled with them were the personal friends of President Van Buren, indignant at, and determined to revenge his sacrifice by the slave power. The free soil party conducted the canvass against the old parties,with an eloquence of the tongue and pen—with an ability and energy never surpassed in the history of the Republic. Their canvass was the romance and poetry of politics, and their political creed,the religion of patriotism.

John Van Buren brought into this campaign an indignant personal feeling towards those who "done his father to death," and a fiery eloquence, wit, and sarcasm, which rendered him a great popular favorite, and secured to him the most brilliant national reputation. John P. Hale, Charles Sumner, Henry Wilson, S. P. Chase, Cassius M. Clay, Benjamin F. Butler, William C. Bryant, and David Wilmot, and many others,

were among the most active and ardent leaders in this contest. Although the ticket carried no electoral votes, it received a very large popular support, especially through New England, New York, and the Northwest, and defeated General Cass. There were many anti-slavery whigs who supported General Taylor for the Presidency, among them, the great statesman of New England, Daniel Webster, and the great popular leader of New York, William H. Seward, and he who was to be the instrument in the final overthrow of slavery, Abraham Lincoln, of Illinois. The great organ of public sentiment, the New York *Tribune*, also gave its support to General Taylor. Meanwhile, the politicians, fearing the growth of the great free soil party, undertook to settle the slavery question by the *compromise measure of* 1850.

The Thirty-first Congress met in December, 1849. The struggle for, and the resistance to the extension of slavery continued more and more to agitate the country. The United States had acquired by the treaty of peace with Mexico, the immense territory of upper and lower California and New Mexico. The Wilmot proviso, although it had twice passed the House of Representatives, had always been rejected by the Senate. The slave power hoped the great victory it had achieved by this vast acquisition of territory was secure. But the struggle still continued. Fourteen free States adopted resolutions protesting against the enlargement of the area of slavery. The slaveholders deprecating the struggle in Congress attempted to forestall its action by organizing a slave State in California. Knowing that General Cass and the party that supported him for the Presidency in 1848, were committed to non-intervention, and that slaves were already in California, and believing they could organize a State Constitution there, which would sustain and secure slavery, emissaries were despatched to California to get up a State convention and adopt a pro-slavery Constitution. After the inauguration of President Taylor in 1849, Thomas Butler King, of Georgia, a warm advocate of slavery, and in confidential relations with the administration, went to California and urged the formation of a State government, pledging to the movement the support of the administration, and urging the

measure as a means of preventing a fearful struggle in Congress on the slavery question. Mr. King spoke for the whig administration, and Mr. Gwynn, of Mississippi, afterwards Senator of that State, spoke to, and for the democracy, urging the same course. King, after relating the history of the Wilmot proviso, said: "We cannot settle this question on the other side of the Rocky Mountains; we look to you to settle it by becoming a State."

The friends of freedom on the Eastern side of the continent had feeble hopes of success in the Constitutional Convention of California; they rather expected to be compelled to make the fight in Congress on the question of the admission of that territory as a slave State. There was then no telegraph spanning the continent, and the mails were slow and tedious in bringing news from the Pacific to the Atlantic coast. Few more thrilling items from that distant shore were ever received than the intelligence that the new Constitution contained the provision that, "*There shall be neither slavery nor involuntary servitude, otherwise than in punishment of crime, whereof the party shall have been duly convicted.*" It was the death knell of slavery. The miners, the laborers of California, would not tolerate the competition of the aristocratic slaveholder with his gang of slaves, and uniting with those who opposed slavery from moral principle, they triumphed over the advocates of slavery and secured the adoption of this Constitution by the people, and the new State with her Constitution securing freedom for all, presented herself at the Capital for admission into the Union. To the free laborers from the North, and especially the miners who had crossed the mountains for gold, was this unexpected result to be attributed.

The slave power, although it had urged the formation of a State government, now wheeled about and opposed the admission of California. Had California come as a slave State, they would have welcomed her, but as a free State, she should not come in if they could prevent it.

After long debate, Mr. Clay reported a series of measures known as the Compromise Measures of 1850. These measures were in substance:

1. The admission of California as a free State under her Constitution.

2. The establishment of Territorial governments for New Mexico and Utah, without the Wilmot proviso excluding slavery, and providing for their admission as States into the Union with or without slavery as the people should decide.

3. The recognition of the claim of Texas to near 90,000 square miles of free soil situated above the line of 36° 30″; and the payment to Texas of ten millions for her relinquishment of New Mexico.

4. The abolition of the slave trade in the District of Columbia.

5. A new and stringent fugitive slave law, drawn by Mason of Virginia, avowedly to humiliate the free States, and by which all the defences of personal liberty on behalf of the accused were effectually destroyed.

These measures were finally forced through Congress, and the leading politicians of both the great parties declared this should be a finality, and they drew up a paper and signed it, pledging each other to oppose any man who would not regard them as such. The great Senatorial leaders thought now, that the agitation of the slavery question was forever silenced, forgetting that the voice of justice and liberty cannot be silenced.

CHAPTER II.

REPEAL OF THE MISSOURI COMPROMISE AND THE STRUGGLE FOR KANSAS.

THE THIRTY-THIRD CONGRESS—DOUGLAS INTRODUCES THE KANSAS-NEBRASKA BILL—DEBATE UPON IT IN THE SENATE—DOUGLAS—CHASE—SEWARD—SUMNER—TOOMBS—MASON—HUNTER—SLIDELL—HOUSTON—PASSAGE OF THE BILL—STRUGGLE OVER ITS PASSAGE IN THE HOUSE OF REPRESENTATIVES—BENTON—RICHARDSON—CAMPBELL—WASHBURNE—STEPHENS OF GEORGIA—PASSAGE OF THE BILL THROUGH THE HOUSE—STRUGGLE BETWEEN FREE AND SLAVE STATE MEN FOR KANSAS—GENERAL ATCHISON—JOHN BROWN—LANE AND ROBINSON.

AS in the territory out of which Kansas and Nebraska were to be organized, slavery had been, by the Missouri Compromise, solemnly prohibited forever; thus far, in all the violence of the conflict between free and slave labor, no hand had been "ruthless" enough to attack what was regarded as a sacred compact.

But the contest became more and more bitter. The Thirty-third Congress convened December, 1853, and its action so powerfully affected the anti-slavery agitation, by the struggle over the repeal of the Missouri restriction, that it becomes a point of departure in the anti-slavery history of the country. The action of this Congress secured the early triumph of the anti-slavery, or republican party. When Senator Douglas, as chairman of the Committee on Territories, in the bill organizing territories, introduced a section, repealing the prohibition of slavery, it startled the people of the free States,

NOTE.—I am indebted to the personal recollections of my late colleague, Hon. E. B. Washburne, for much of the material and language of the sketch of the repeal of the Missouri Compromise.

like a clap of thunder in a clear sky. Designed to extend and strengthen slavery, it was a powerful blow towards its destruction. The struggle in Congress, over this question, was so important, that it is given with such fullness of detail as will illustrate the fierceness of the conflict and the irresistible power of slavery at that time.

The Presidential election, in 1852, resulting in the election of Franklin Pierce, practically put an end to the old whig party. The celebrated compromise measures of 1850, already spoken of, were fully endorsed by that election, in his elevation to the Presidency. General Scott, who ran as the whig candidate, only received the votes of four States. It was then said, boastingly and sneeringly, that the slavery question was forever settled, and that the abolitionists and agitators were crushed. The institution, to the shame of the people, received at that election, a very full and complete recognition. The chivalry of the South, living by the sweat of unpaid toil, pampered by pride and lust, brought to their support all that was low, venal and cowardly, as well as much of a higher, but timid character.

At the opening of the Thirty-third Congress, December 5, 1853, there were in the Senate fifty-eight members; some thirty-eight democrats, seventeen whigs, only three free soilers, (Sumner, Chase and Hale,) and some four vacancies. Among the prominent whig senators, were Foote, of Vermont, Everett, of Massachusetts, Seward and Fish, of New York, Wade, of Ohio, Toombs, of Georgia, John Bell and Governor Jones, of Tennessee, Badger, of North Carolina, Judah P. Benjamin, of Louisiana, John M. Clayton, of Delaware. Among the democrats, there were Hannibal Hamlin, of Maine, Mason and Hunter, of Virginia, Clay, of Alabama, Slidell, of Louisiana, Bright and Pettit, of Indiana, Douglas and Shields, of Illinois, Cass, of Michigan, Mallory, of Florida, Rusk and Houston, of Texas, Butler, of South Carolina, and Gwin, of California. In the House, out of two hundred and thirty-three members, one hundred and fifty-nine were democrats, and seventy-four whigs. From New England, there were but few members of any very great distinction. Washburne, of Maine, was serving

his second term as a whig, and Banks came in, for the first time, as a democrat from Massachusetts. From New York, there was Cutting, a man of ability, a democrat; Haven, a whig, of the "Fillmore" school, and Fenton, a democrat, now the Union Governor of New York. Illinois sent Douglas and Shields to the Senate. Among the members of the House were William H. Bissell, Richard Yates, and Elihu B. Washburne; the two first have since been Governors. From Missouri, the great Benton, after thirty years of service in the Senate, came into the House to give the country the benefit of his long experience and profound statesmanship.

On the 4th of January, 1854, Mr. Douglas introduced into the Senate what was afterwards known as the Kansas-Nebraska-bill, accompanied by a special report. On the 16th day of January, Mr. Dixon, a Senator from Kentucky, gave notice that he would offer an amendment to Mr. Douglas' bill, repealing, in distinct terms, the Missouri Compromise. On the next day, Mr. Sumner gave notice of an amendment he would offer to the bill of Mr. Douglas, declaring that nothing in the proposed act should affect the Missouri Compromise. On the 23d of January, Mr. Douglas reported a substitute for the original bill, making, instead of Nebraska Territory, the two Territories of Nebraska and Kansas. And, he added to this substitute, an amendment to that part of it declaring that the Constitution and laws of the United States, which were not locally inapplicable, should be in full force, with the following exception, which exception involved more stupendous consequences than were ever contained in any law of as many lines:

"Except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which was superceded by the principles of the legislation of 1850, commonly called the Compromise Measures, and is declared inoperative."

This proposition startled the Senate and the people. It broke down the barriers which, by a sacred compact, had

been erected against the extension of slavery, and the waves of popular indignation were lashed into fury; and the excitement continued until it pervaded all the land.

The consideration of the bill was postponed by the Senate from the 24th to the 30th of January, and made a special order. During that time, an address was issued to the people, warning them of the proposed legislation, and criticising with great force and severity the provisions of Mr. Douglas' bill. This address was signed by Senators Chase and Sumner, by Giddings and Wade, Representatives from Ohio, by Gerrit Smith, a Representative from New York, and Alex. De Witt, a Representative from the Commonwealth of Massachusetts.

The bill, coming up in the Senate, according to order, the discussion was opened by a speech from Mr. Douglas. At this time, this Illinois Senator was the idol of his party and in the zenith of his popularity, as well as in the prime of his physical and intellectual power. He was a man of an iron constitution and a strong and acute intellect. Possessed of a wonderful memory, without being a scholar, his mind was well stored with practical and accurate information. He never forgot anything he had ever read, or seen, or heard; and he had that happy faculty of a politician, of always remembering names and faces. His resources were always at his command, and he needed little preparation. Of a kind and genial disposition, with a frank, open, and cordial manner, endowed with remarkable conversational powers, bold, dashing, and somewhat reckless, he had all the qualities which go to make up a great popular leader, in a degree equal to any man of American history. As a speaker and debater, either in the Senate or on the stump, he had few equals. He spoke, always, with great fluency and power. He seized the strong points of his case, and enforced them with great vigor. Quick and ready to seize the weak points of his antagonist, he would drive them home with strong and well-applied blows, never being disposed to yield an advantage which he had once obtained. He brought to the accomplishment of his object, in the passage of his bill, his

vast influence, his indomitable energy and unyielding determination; and, in the pursuit of his purpose, it could be said of him that "no danger daunted and no labors tired." His speech on the bill was able and eloquent, but bitter, defiant and abusive.

It is believed that Mr. Douglas lived to see the day, when he deeply regretted his action on the Nebraska bill; and the loyal people of this country, of all parties, will not forget, that in the early days of our Nation's great trial, without hesitation, he rallied his friends around the flag, and threw the weight of his great influence on the side of the Government, and against the black-hearted and perfidious traitors who so wickedly sought its overthrow. The people of this Nation owe a debt of gratitude to his memory for his patriotic speech before the Legislature of Illinois in April, 1861, and at Chicago soon afterwards. Dying in June thereafter, he left those great utterances as his richest legacies to posterity. His ashes repose on the bank of the magnificent Lake which washes the northeastern border of the great State he loved so well.

Messrs. Seward, Chase, Sumner and Hale led the opposition to the bill. On the 3d of February, Mr. Chase boldly took up the gauntlet which Mr. Douglas had so defiantly thrown down. His speech was one of remarkable eloquence, power, and logic, and made a profound impression on the country. He referred to the peaceful state of the nation when the Congress met, and before the introduction of the bill of Mr. Douglas; "but suddenly," said he, "all was changed. Rolling thunder broke from the cloudless firmament; the storm burst forth in fury; warring winds rushed into conflict.

> **'Eurus, Notusque ruunt, creberque procellis,**
> **Africus,'**

Yes, sir, '*creber procellis Africus*,' the South wind thick with storm. And now we find ourselves in the midst of an agitation, the end and issue of which no man can foresee." But the end, which no man could then foresee, has come, and the eye of that great and early apostle of human liberty now rests on a free land, and he hears not the clank of the chains on the limbs of a single slave.

On the 17th of February, Seward spoke, as he always speaks, ably, temperately, candidly and philosophically. He saw the near approach of that "irrepressible conflict" between the two opposing powers of freedom and slavery, which he had predicted. His speech was a historical review of the whole question, and a calm and eloquent appeal to the majority to stay its hand. He spoke of the uselessness of all efforts to stifle the love of freedom and hatred of slavery in the North. "You may," said he, "drive the slavery question out of these halls to-day, but it will revisit them to-morrow. You buried the Wilmot proviso, here, in 1850, and celebrated its obsequies with pomp and revelry, and here it is again, to-day, stalking through these halls, clad in complete armor." "Slavery," he contended, "is an eternal struggle between conservatism and progress, truth and error, right and wrong. You may sooner, by act of Congress, compel the sea to suppress its upheavings, and the round earth to extinguish its internal fires, than oblige the human mind to cease its inquirings, and the human heart to desist from its throbbings." In its last maddened throes, this early, able, and courageous champion of liberty, was struck down by the assassin hand of slavery, but has been spared by an overruling Providence to officially proclaim to his country and the world, that "*slavery exists no more.*"

On the 24th of February, Mr. Sumner delivered an exhaustive and able speech, and it was then a most singular and novel fact, that when he spoke of a *Northern man with Southern principles*, and said, with emphasis, that no such man could speak for the North, the report says he was interrupted by "prolonged applause in the galleries."

Northern Senators, in disregard of the instructions of the Legislatures of the States they represented, spoke and voted for the bill. Toombs spoke with more than his accustomed violence and insolence. "The Government has little to fear from the abolitionists," he bawled out, "their greatest achievements have been to raise mobs of fugitives and free negroes, and incite them to murder and other crimes; and their exploits, generally, end in the subornation of perjury to escape the criminal courts." This man, Toombs, was by

nature a rebel and a revolutionist; though of a brutal character and a turbulent disposition, he was a man of far more than ordinary talent. He was one of the ablest, as he certainly was one of the worst men in the Senate, who brought on the rebellion. When he addressed the Senate, he spoke with great vehemence, and with the utmost contempt for those differing from him. With a well-compacted person, black eyes, long, bushy, black hair, stentorian voice and vehement manner, he did more than any other man, in his efforts to break up the Union; going earliest and deepest into the rebellion, proclaiming himself a traitor in the halls of the Senate after the secession of Georgia; he very soon became more dangerous to the bogus Confederacy than he was to the cause of the good old Union.

The sleek Jew, Judah P. Benjamin, the polite and wily man in black, with rounded phrase, and smooth and well polished sentences, spoke glittering words in support of violated faith. There was not a more elegant and accomplished speaker in the Senate than he. Words flowed freely from his lips, and they were as slippery as oil. Governed by no principle, except that of making money, he was utterly unscrupulous both in politics and morals. His colleague, John Slidell, the ablest, the shrewdest, the most subtle and the most unscrupulous, as well as the richest of all the conspirators, spoke but few words. With thin, gray hair, red faced, round shouldered, he moved quietly about; distant in manner, as well as reserved, precise and elegant in speech. Mason, of Virginia, author of the fugitive slave law, named by old Ben Wade "the original copperhead," long before the term came into vogue as applied to a party, talked in language of insult and contempt. His whole appearance was concentrated disdain and hatred of everything in the free States. He accompanied Slidell abroad, and shared his adventures in getting there. For a time he was a great man in London, because he was a rebel and a traitor to his country. He swelled in the club houses of Pall Mall, and drank denunciation to the old United States. Hunter, his colleague, was cool, able and phlegmatic, dignified in manner, careful and respectful in language, though ultra in sentiment. He had

been long in Congress, in both Houses, and had been Speaker of the House of Representatives. In everything except the slavery question, he was a sound, honest, and practical legislator. In the rebel Senate, he was a tower of strength to the Confederacy. When he rebelled, he had large possessions in lands and negroes and mills in the Peninsula; but when he returned to his home, he found his negroes fled, his mills burned, his farms ravaged; and he must have been startled, when he beheld around him the ruin that had been wrought while he was warring upon the flag of his country.

On the morning of the 3d day of March, at five o'clock, the bill finally passed the Senate by a vote of 37 to 14. Mr. Seward, at a late hour of the night, said to his brother Senators, "The shifting sands of compromise are passing from under my feet, and they are now taking hold again on the Constitution." He said while he would not have voted for the compromise of 1820, he would not, himself, have disturbed it. "Through all the darkness and gloom of the present hour," he continued, "bright stars are breaking that inspire me with hope and excite me to persevere. They show that the day of compromise has passed forever, and that henceforth all great questions between freedom and slavery shall be decided, as they ought to be, on their merits."

Among the negatives, were two Southern men, John Bell and Sam Houston. The opposition of Bell, to the measure, was weakened by apologies and trimming, and those who knew him best were not surprised to find him early in the rebellion, driven out of Nashville the second year of the war. Sam Houston, who proved himself "The noblest Roman of them all," made the last speech that was made in the Senate against the bill. It was a calm and temperate appeal not to disturb the Missouri Compromise, and filled with forebodings of evil in the event of the success of the measure.

In his peroration, he said "The proud symbol (pointing to the eagle) above your head, remains enshrouded in black as if deploring the misfortune that has fallen upon us, or as a fearful omen of future calamities, which await our Nation in

the event this bill should become a law. Above it, I behold the majestic figure of Washington, whose presence must forever inspire patriotic emotions, and command the admiration and love of every American heart. By these associations, I adjure you to regard the contract once made to harmonize and preserve this Union. Maintain the Missouri Compromise! Stir not up agitation! Give us peace!" * * * "In the discharge of my duty, I have acted fearlessly. The events of the future are left in the hands of a wise Providence, and, in my opinion, on the decision which we make upon this question must depend *union or disunion.*"

Prophetic words from patriotic lips! Sam Houston was a remarkable man, and the history of his eventful life is stranger than fiction. No one, who once saw him, particularly in his later years, could ever forgot the impression his presence inspired. He was very tall, straight as an arrow, and of most symmetrical proportions. His manner was kind and cordial, but dignified and impressive. He was slow of speech, but his conversation was fascinating to a remarkable degree. It was beautiful to behold the deference and gentleness with which this backwoodsman always treated the fair sex, therein evincing the highest instincts of a natural gentleman.

When the rebellion broke out, he was the Governor of Texas; little has been known of him since, except that he was true to the old flag to the last; but seeing his country distracted, discordant, belligerent, and drenched in fraternal blood, he died of a broken heart.

The bill having now passed the Senate, came to the House, and the struggle was renewed with increased violence.

The slave power, aided by the administration and democratic Senators of the free States, under the lead of Douglas, having forced the Kansas-Nebraska bill through the Senate, the struggle came on in the popular branch of Congress. The bill came down to the House on the 7th of March, and was taken charge of by Richardson, of Illinois, chairman of the Committee on Territories, who was the lieutenant of Douglas in the House. On the 21st of March, there was a test vote on referring the bill to the "Committee of the Whole

on the state of the Union," usually regarded as the receptacle of dead projects in legislation. The bill was referred, by a vote of 110 to 96. This was a great triumph of the anti-Nebraska men. But the friends of the bill were determined to get at it, in some way, and so on the 8th of May, the skirmishing commenced, which was the prelude to the great battle that came off three days later. Richardson moved to go into committee, for the purpose of taking up the bill, and after a long struggle, the motion was carried, and all other bills were laid aside until the Nebraska bill was reached. On the next day, it was debated. On the day after, Richardson moved a resolution to close debate, and resolutely proposed to put on the screws of the previous question, and gag the measure through. Flushed with their recent success, strong in numbers, in talent, and above all, in the righteousness of their cause, the anti-Nebraska members were ready and even eager for the contest. Then commenced one of the longest and most extraordinary sittings ever known in Congressional annals.

The Nebraska men had secured a clear majority, and evinced a determination to fight their bill through, without further discussion or consideration. On the other hand, its opponents were equally determined that they should not do it. Then began what is called in Congressional phrase, "fillibustering" by all the dilatory motions known to parliamentary law: motions to adjourn, to adjourn over, to lay on the table, to reconsider, to excuse members from voting, for a call of the House, and other motions; upon all of which, piled up, one after another, the ayes and noes were ordered, preventing any action upon the question. A call of the House is ordered, the doors of the House are closed, and no member can get in or out without the leave of the House. The sergeant-at-arms is sent to arrest the absent members, who are brought in and arraigned to give their excuses to the House like truant school boys. Motions to excuse are made, followed by motions to dispense with further proceedings under the call, to adjourn, etc., etc., interposed between brief speeches interjected out of order, and amid cries of "order," "order," "order." Time wears on; the day passes and the

night passes, and the next day comes, and still the House is at a dead lock. The Nebraskaites determined still to force their measure through before an adjournment, while the other side is equally determined, that no vote shall be taken. The members are tired, sleepy, haggard, ill-natured, and they lounge and gape during the incessant calls of the roll. On the second day, the anti-Nebraska men got fairly organized for their work, and, being on the defensive, were enabled to let some of their men go out for refreshment and sleep, while others stood guard, intrenched behind the defences of their scores of motions, piled one upon the other. But the other side being, as it were, the attacking party, could not spare a man. Under this arrangement, Mr. Benton left the House, and another call being ordered, he was arrested, brought in and called up before the Speaker for an excuse. He said, "It was neither on account of age nor infirmity that I was absent, for I never felt better. * * * I went away *animus revertendi*, intending to return, refreshed and invigorated, and take my share and sit it out; to tell the exact truth, to husband some strength for a pinch, when it should come, for I did not think we had yet got to the tightest place." Though a democrat, Mr. Benton was indignant at the attempt to violate compacts; his sagacious mind saw the dangers which would follow the passage of the bill, and he resisted, with all the ability and pluck of his best days. The second night comes, and Congress has been in session thirty hours. As an illustration of the endurance of members, Hon. E. B. Washburne states, that during all this time, he was never out of the House but once, and took but one meal and slept one hour.

The chandeliers flashed their brilliant lights again over the hall. The clerks were hoarse with the continued roll call, but it still went on, each party resolved not to yield. Worn out with hunger, fatigue and watching, the members became more and more impatient and restless. At length Richardson realizes the full strength and determination of the anti-Nebraska men, and proposes terms of compromise. The universal answer was, "No, you are too late, we are determined you shall not force a vote on

your bill, and we will make no terms." Many of the slaveholders, who had been out to stimulate their decaying energies, now came into the House, filled with indignation at having, for the first time in their lives, been so long baulked in their object. There was renewed tumult and excitement. Then Alex. H. Stephens, (late rebel Vice-President,) the ablest man on that side of the House, and the most skillful parliamentarian and tactician they had, sees the dilemma of Richardson. The enemies of the bill, realizing their advantage, became jubilant and defiant. Campbell, of Ohio, small in person, but full of pluck and spirit, saw the advantage and was not disposed to yield it. As a sort of general colloquy was going on, Mr. Campbell sought to make an inquiry, and was interrupted by Mr. Seward, of Georgia, saying, "I call the gentleman to order." (Cries of "order," from all parts of the House.)

Mr. Campbell, amid much confusion, said, "I shall resist this measure to the bitter end; I say so, never minding the gentleman who calls me to order." (Cries of order.) Mr. Seward: "There are other places, instead of this, where personal difficulties may be settled." (Members here crowded around Mr. Campbell — many even on the tops of the desks.)

Thus far the report of the *Congressional Globe*. Mr. Campbell was in one of the aisles.

After throwing defiance at Campbell, the fire-eaters from all parts of the House began to rush towards him. It was a fearful scene! Edmonson, of Virginia, a man of powerful build and violent temper, now inflamed by liquor, was among the foremost coming up, having his hand upon a bowie knife concealed under his vest. Bocock, late Speaker of the rebel House, an old member of Congress, and opposed to violence, interposed between his drunken and infuriated colleague and Mr. Campbell. At this time, Washburne, of Illinois, was on the top of the desk, determined, at any rate, to *see* what was going on, and ready to take a hand in, when a blow should be struck. The surging crowd, having been brought to a momentary stand, the undaunted little Campbell again got the floor.

Mr. CAMPBELL—"I tell you, gentlemen, I shall resist this measure to the bitter end with all my power."

SPEAKER—"The House will come to order. The sergeant-at-arms will preserve order." (Members still crowding around Mr. Campbell.) "The chair calls on lovers of order to preserve order in the hall."

The sergeant-at-arms, with the Mace of the House, proceeded to compel members to resume their seats and preserve order.

SPEAKER—"Those who are disorderly and acting in contempt of the House"—(cries of "down from the desks.") Order was now partially restored.

This scene finally wound up by Mr. Richardson's moving to adjourn, which motion was carried amid great applause from the anti-Nebraska side. And at twenty-seven minutes to 12 o'clock Friday evening, May 12th, the House adjourned, having been in continuous session thirty-five hours and thirty-five minutes. It is to be hoped that such a session and such scenes will never again be witnessed. This was the first square stand up fight in the Halls of Congress, between the slave power and dough-faces on one side, and the independent representatives of a free people on the other, in which the latter triumphed.

Yet the struggle did not end here, but was destined still to go on with great bitterness.

Mr. Richardson, having failed to put his bill through under the previous question, came into the House on the following Monday, with a modified proposition, looking to closing debate after four days' discussion. That was finally adopted after a parliamentary struggle of six hours. This was a most turbulent session, and was characterized by many violent scenes.

Under the rules of the House, after general debate on a bill has been closed in committee, it is open to amendment and to what is called the "five minutes debate." Any member can offer an amendment, and speak five minutes in support of it, and then any other member, who can get the floor, can speak five minutes in reply; and it is specially provided that no bill can be reported to the House as

long as any member may wish to offer an amendment. It was immediately seen by the friends of the bill, that under this rule, the discussion might be continued indefinitely and never brought to a vote. Then the keen intellect and shrewd parliamentary tactics of Stephens were again brought into requisition. He dug up an old rule of the House, and gave it a new and plausible construction; it was to strike out the enacting clause of the bill in committee, and report it to the House, which would disagree to the action of the committee; that is, the committee would cut the head off the bill, then send it into the House, when the head would be voted on again. The only resource was, not to vote in committee, and thus prevent the bill getting out of the committee into the House by the want of a quorum. But the Nebraska men were equal to the occasion. They had for chairman of the Committee of the Whole, the notorious Dr. Olds, of Ohio, one of the most unscrupulous men in the House, ever ready to do the bidding of the slaveholders. The motion was for the committee to rise and report the bill to the House; and on that motion only 103 members voted, it taking 119 for a quorum. The vote, therefore, amounted to nothing. But what was the astonishment to hear Olds declare the motion carried, and see him stalk hastily down from the Speaker's chair amid loud and vociferous cries of "no quorum! no quorum!" But that did not deter him from making a false report to the Speaker. And when the question of order was raised before the Speaker, that no quorum had voted in committee to report the bill to the House, he coolly replied "that the Speaker could not take cognizance of what was done in committee."

And then commenced the long and desperate struggle over the final passage of the bill. The friends of the measure had comforted themselves with a resolute and unswerving majority; but yet, under the rules of the House, formed, not only to protect the majority, but the minority as well, action could be indefinitely delayed. To secure the passage of the bill, at this time, the rules of the House were trampled under foot, parliamentary law was disregarded, and the rights of the minority were contemned. Still they resisted and

struggled on, but to no purpose. At 11 o'clock on the night of the 22d of May, 1854, after a session of eleven hours, the bill finally passed by a vote of 113 to 100. The announcement was received with mingled applause and hisses, on the floor, and in the galleries. On Capital Hill, outside, salvos of artillery announced the triumph of the slave power in Congress, over the cause of justice, honor and freedom; but the boom of the cannon awakened echoes in every valley and on every hill side in the free North.

The details of this struggle must ever be regarded with great interest by the student of history. It has been given in detail to show the manner in which the slave power controlled Congress. The friends of the measure triumphed through the power of Executive patronage and the dead weight of majorities; but no party ever paid such a price for success. There never was a more skillful and gallant parliamentary fight made, than that made by the opponents of the bill.

Among the Southern men, who took part in this Nebraska fight, in the House, and who went into the rebellion, the most prominent is Alexander H. Stephens, late rebel Vice-President. To say that he is a remarkable man, is to say only what is known to all persons who know anything of his history. He sprung from the depths of poverty, and was educated by charity. Of a frail and feeble constitution, his mind was always too vigorous and active for his weak body. He was never married, and lived at home a life of isolation and solitude, devoting himself to the pursuits of politics and literature. Under the ordinary height, he was of a very slender form, and considerably stoop-shouldered. His weight was less than 100 pounds. His complexion was very sallow. His arms were of a disproportionate length, and his fingers long and skinny. He had the blackest and keenest eyes; his hair was long, and black, and came down on his forehead like a school-boy's. His voice was boyish and squeaking, but he was one of the most interesting and eloquent of speakers, and he never addressed the House without commanding universal attention. His speech before the Georgia Legislature against secession, and in reply to Toombs, was

an effort of masterly ability, eloquence and power; and reading it now, in the light of the events that have followed, it is wonderful to see how his prophecies have become history. He was a man of kindly heart and irreproachable private character, all rowdyism and violence being utterly repugnant to his nature. He went into the rebellion most reluctantly; and in order to propitiate a large class of men, of the same opinion, he was put on the ticket for rebel Vice-President. Yet he must be regarded as one of the most guilty of the rebels. He was a man of high character and great and deserved influence over the public mind. He saw and proclaimed the wickedness of secession, and, in finally giving to this monstrous crime the weight of his great name, he sinned against light and knowledge.

John C. Breckinridge, a member of the old, aristocratic Breckenridge family, of Kentucky, was in this Congress. He was then thirty years old, and had commenced life as a lawyer, in Burlington, Iowa, then a territory. He did not, however, remain there long, but returned to Kentucky, and in 1852, ran as the democratic candidate for Congress in the Lexington District. Young, dashing, popular and eloquent, he rallied round him the young men of all parties, and after a most violent and animated contest, he was elected.

The history of this struggle has been given in more detail, because of its vast bearing on the slaveholders' rebellion, and as illustrative of the violence and outrage, denunciation and insolence of the slave power in Congress.

The repeal of the Missouri Compromise shocked the moral sense of the free States, and it was regarded not only as a humiliation, but a gross violation of faith. The passage of the Kansas-Nebraska bill, repealing it, thoroughly aroused the people of the North, and it was realized, by the thoughtful, that the final struggle between freedom and slavery approached. The impetuous, arogant Senators from the slave States, were warned, that with the repeal of this time-honored compromise, the days of mutual concession and forbearance would end, and that the grapple between the two opposing systems would come face to face.

This repeal of a solemn compact, which had been respected for more than thirty years, removed the barrier to the extension of slavery over a territory, equal in extent to the entire thirteen original States. The leaders of the slaveholders determined, immediately to occupy and control it. The people of the free States, defeated and betrayed at Washington, resolved to prevent it. Douglas, and a large portion of the democratic party, defended their action on the subject, by taking the position, that the people of each territory should determine for themselves, whether they would exclude or protect slavery. This doctrine, known as "popular sovereignty" and "squatter sovereignty," became one of the watch-words of the party. Each section determined to settle and colonize Kansas, with a view of controlling its status as a free or slave State. This territory lay directly west of Missouri, and the direct route to it was across the borders and up the great river of that State. Conscious of these advantages, Western Missouri, under the lead of Gen. Atchison, a Senator, and late Vice-President, organized secret societies called "Blue Lodges," and by force endeavored to seize and hold Kansas. Their organized bands marched into the territory, made their claims, and, taking with them their negroes, declared that slavery already existed there, and that "*no protection should be furnished to abolitionists.*' By this, they meant that all abolitionists should be subject to mob or "Lynch law." In New England, the Northwest and elsewhere in the free States, "emigrant aid societies" were organized, with a view to settle Kansas with free labor. Farmers were furnished with mills, farming implements, domestic animals, seed, and dwelling houses. School houses and churches were also supplied to the emigrant. The property and effects of the emigrant, so furnished, soon began to be seized by the slave party, on its passage up the Missouri river. Settlers from the free States were seized and maltreated, their property destroyed or plundered, and they forcibly turned back. But possessing New England pluck and persistence, they turned aside, and, with horses and ox teams, made the long, weary, overland journey to the disputed territory, through the free State of Iowa. It was a struggle as to

which party should found a State. The slaveholders had the advantage of close proximity, and, under the lead of Atchison and Stringfellow, sent their organized bands of ruffians, armed with revolvers, bowie knives, slaves and whisky, as the material with which to build up the new commonwealth. It was found to be a bad material. The free State emigrant, although starting from a distance, often of several hundred miles, took his family, his farming tools, the school books of his children, often the school house and church, ready framed at home; by and by, he also took his Sharpe's rifle, which he quickly learned to use with skill. Under the lead of John Brown, known in Kansas as Ossawatomie Brown, Charles Robinson, General Pomeroy, and Jim Lane, with their associates, they opened farms, planted settlements, and held them. It involved a weary, and, for a time, a dreadful struggle. On the side of the slaveholders were the United States officials, with all the influence of the Federal government, the State government of the border State of Missouri, and its militia, ever ready to make raids into Kansas, for plunder, violence and destruction. The free State party had the aid of the Northern press, Yankee enterprise, ingenuity and persistence, and the rough and rude sense of justice and fair play which characterize the pioneer of the West. The slave party, through the aid of voters, imported from Missouri, the Missouri militia, and the Federal administration, held the nominal government, and perpetrated a series of the most shameless outrages, frauds, ballot stuffing and violence known in American history, to secure a Constitution establishing slavery. But the free State men soon greatly outnumbered their unstable, wandering, plundering, whisky-drinking adversaries. The work of imposing slavery upon the people was a very difficult one. Slaves, brought into the country, ran away and found freedom and security. Territorial Governor after Territorial Governor was appointed by Presidents Pierce and Buchanan, and was replaced or resigned, finding the task of imposing slavery upon the people too difficult. Governor Geary, one of the Governors appointed in the interests of slavery, became indignant and disgusted at the

outrages of the slave party, and gives the following picture of their condition. He says, "I reached Kansas and entered upon the discharge of my official duties in the most gloomy hour of her history. Desolation and ruin reigned on every hand; homes and firesides were deserted; the smoke of burning dwellings darkened the atmosphere; women and children, driven from their habitations wandered over the prairies and among the woodlands, or sought refuge and protection from the Indian tribes. The highways were infested with predatory bands, while the towns were fortified and garrisoned by armies of conflicting partizans, excited almost to frenzy, and determined on mutual extermination." Such was the struggle in Kansas, upon the slavery question. It was like the great civil war of which it was the type and prophetic prelude, a contest between barbarism and civilization. Whenever anything like a fair vote of the actual settlers could be obtained, the free State men had large majorities. The story of this struggle between freedom, and slavery, between fraud, violence and outrage on one side, and heroic firmness, energy and determination on the other, was carried all over the land, and made a most profound impression upon the American people. Time and nature have but lately healed and covered the scars of this conflict. It was amidst these scenes that John Brown, of Ossawatomie, was prepared by the murder of his son, for his wild crusade against slavery in Virginia. It was here, that the heroic Lyon and Hunter learned to hate that institution. The plains of Kansas were still red with the blood of her martyrs to liberty; her hills and valleys were yet black with the charred remains of her burned and devastated towns, villages and cities, attesting, alike, the heroic constancy of her people to freedom, and the savage barbarity of the slave power. When the convulsions of the great National conflict began to shake the land, Kansas was the rock which rolled back the tide of the slave conspirators. All honor to Kansas! She successfully withstood the slave power, backed by the Federal Government. The struggle was watched by the people, everywhere, with the most intense solicitude, and it nerved them to a still firmer determination to resist the encroachments of the slaveholders.

CHAPTER III.

ABRAHAM LINCOLN.

LINCOLN'S EARLY LIFE, AND EDUCATION—HIS MOTHER—HE VOLUNTEERS FOR THE BLACK HAWK WAR—POSTMASTER—MODE OF KEEPING GOVERNMENT FUNDS—A SURVEYOR—ELECTED TO THE LEGISLATURE—STUDIES LAW—HIS PROTEST AGAINST SLAVERY—LINCOLN AT THE BAR—EARLY ILLINOIS' COURTS—HIS MODE OF TRYING CASES—ACCEPTS A CHALLENGE—PLEADS THE CASE OF THE NEGRO GIRL "NANCE"—IN CONGRESS—HIS BILL TO ABOLISH SLAVERY—HIS PRACTICE AT THE BAR.

THERE was now about to come prominently before the country, an actor who, hitherto comparatively obscure, was soon to become the most prominent figure in American history.

Abraham Lincoln was a plain, rough, sturdy pioneer of the West. The racy product of American soil and American civilization. No other age, or country, could have produced his counterpart. No other section of his own country but the great national Northwest could have produced him. He was the child of the wilderness; and his early lessons were received on the puncheon floor of a western log cabin. Self-made and self-educated; a giant in frame; ungraceful and awkward in person, but most kind and genial in his disposition; with sentiments as pure, elevated and noble, as were ever ascribed to the embodiment of the most perfect chivalry, or the purest christianity; a profound thinker; reasoning out his opinions for himself; of great sagacity; of an almost instinctive discretion, and good sense; of unblemished private character; of a truthfulness and honesty which, long before he attained national celebrity, had earned for himself, among

the quick-witted backwoodsmen dressed in deerskin and Kentucky Jeans, (who, in imitation of an Indian custom, were in the habit of giving characteristic names,) the cognomen of "HONEST OLD ABE.' This man, issuing from among the class of poor whites, called by the slave-holding aristocracy, "poor, white trash," now came upon the arena, and threw all his energies into the contest between Liberty and Slavery. And he plead the side of freedom with an earnestness, a profound conviction, and, at the same time, with a moderation and discretion, which soon made him a prominent leader. His language possessed a plainness, quaintness, directness and clearness of illustration, a rugged, Anglo-Saxon style, wonderfully adapted to reach the sense and understanding of the common people. There never was a time when Lincoln, at the bar, in the log school-house, court-room or tavern, was not surrounded by a group of admiring listeners, to whom his speeches, anecdotes and conversation had an irresistible attraction. Hence the people, for miles, attended court and political meetings "to hear Lincoln." The training of the man, for the great part he was to act in the drama, was not in the schools; perhaps it was better: from childhood he had been accustomed to struggle with, and overcome difficulties; with the basis of perfect truth, candor, integrity, modesty and sobriety, he acquired self-control, self-reliance, and ability to use promptly a clear judgment and sound common sense. Noblest son of the Republic, he was transferred, with no change of manner, from the rude life of the frontier to the capital.

Here, before entering upon the story of the great civil war, and the great conflict of ideas which, under his leadership, was carried to a successful issue; in which liberty, law and nationality triumphed over slavery, anarchy, and disunion, let us pause in the narration of our great epic, and learn, from his youth and training, what manner of man this was, who, was now so modestly, yet so firmly, to grasp the helm, and conduct the Republic through the stormiest period of modern history.

Abraham Lincoln was born in Hardin, now Larue county, Kentucky, on the 12th of February, 1809. The place was

about twenty miles south of the Ohio River, the dividing line between the slave state of Kentucky, and the free states of Ohio, Indiana and Illinois. His grandfather, who bore the name of Abraham, was among those hardy pioneers to the "dark and bloody ground," a descriptive phrase given to Kentucky on account of its deep forests and bloody Indian wars, of which he was a victim. He was shot by an Indian, while at work in his field, near his log cabin. Thomas Lincoln, the father of Abraham, was only six years of age when he was left an orphan. He married Nancy Hanks, a native of Virginia. The father and mother were plain, hard-working, religious, uneducated people, accustomed to hardship and toil. His mother died when he was only ten years of age, but she lived long enough to make a deep and lasting impression upon her son. He ever spoke of her with deep feeling and grateful affection. He said, with his eyes suffused with tears, "All that I am, or hope to be, I owe to my angel mother."

Before Abraham was eight years old, the family moved to Spencer county, Indiana. This change, from a slave to a free state, was made by the parents of Lincoln, that their children might live where labor was respected, and where they might have a fair chance of acquiring a respectable position in life. It was a long, hard, weary journey; a portion of the way was through the primeval forests, where they were obliged to cut a road with the axe. Young Lincoln had little school education; his mother taught him to read the Bible and to write; and, perhaps, the first use the motherless boy made of this acquisition, was to write a letter to an old religious friend of his mother, a traveling preacher of Kentucky, begging him to come and perform religious services over her grave. She had died in 1818, when Abraham was in his tenth year. Mr. Elkins, the preacher, came; and, one year after her death, the family and neighbors gathered around the forest tree, beneath which they had laid her remains, and performed such rude, but sincere, impressive religious services, as are usual among the pioneers of the frontier. Lincoln's reverence, through life, for religion, his truthfulness and integrity, had their origin in his mother's

example and early teaching. Her death, the affection he bore her, the sad and solemn rites of her burial, were never obliterated from his mind and heart.

He had, in all, about one year's schooling; but his mother stimulated his natural love of books, and he read everything he could find to read in the backwoods, seeking, by every possible means, to improve himself. He read the Bible, and committed a large portion of it to memory, Æsop's Fables, Bunyan's Pilgrim's Progress, Weem's Life of Washington, a life of Henry Clay, and an odd volume of Burns' Poems.

These books constituted his library, and these he read and reread, until large portions of them became indelibly fixed in his memory; thus laying the foundation of a character that became, in its maturity, the wonder and admiration of his country. Here, in the far backwoods, he toiled upon the farm, until he was nineteen years of age. Then he took charge of a flat-boat and cargo, down the rivers Ohio and Mississippi, to New Orleans. He had become a tall, athletic man, having attained the height of six feet four inches.

In readiness to extricate himself from a dilemma, to do promptly the wisest thing which could be done under the circumstances in which he might be placed, he was the equal of any Yankee in New England. A gentleman reports that the first time he ever saw Lincoln, he was "in the Sangamon river, his trowsers rolled up five feet more or less, trying to pilot a flat-boat over a mill dam. The boat was so full of water it was hard to manage. Lincoln got the scow partly over, bored a hole through the projecting part, and let the water run out."

In 1830, the Lincoln family removed to a place in Macon county, Illinois, near Decatur, and it was here that the powerful young man performed those wonderful feats in rail-splitting, in aiding his father to fence his farm, which earned for him the sobriquet of "the rail-splitter." At this period of his life, he was a simple, hard working, rough, kindly, genial, studious laborer, with no bad habits nor vicious tastes, but striving, always, to improve himself; dressed in the homely domestic homespun cloth of the country, he was an ungainly giant, utterly unconscious of the great intellectual

powers, which were slowly, but surely, growing and maturing in the silent solitude of his life. A friend of his, sketched a picture of the future President, at this period of his life, while pursuing his studies. He is represented as lying on a trundle-bed, with one leg stretched out, rocking the cradle containing the child of his hostess, while he, himself is absorbed in the study of English grammar. He pursued his studies diligently, and whatever he undertook, he thoroughly mastered. Most of his life, up to the period of his majority, was passed in the solitude of the frontier. With few neighbors, and these absorbed in the laborious struggle for subsistence, he passed the years of his childhood and youth. For the rest, as Bancroft says, "from day to day he lived the life of the American people, walked in its light, reasoned with its reason, thought, with its power of thought, felt the beatings of its mighty heart, and so in every way was a child of nature, a child of the West, and a child of America." His character and intellect developed slowly. Indeed down to the period of his death, Abraham Lincoln was, as facts will prove, constantly growing in intellectual power, improving and perfecting his moral and religious nature; so that, when he fell, he was a far more perfect man than at any previous period of his life. Solitude and self-culture and slow growth are, for minds of high capacity, most favorable to strong and full development. It is doubtful whether, with all the teaching of the schools, Abraham Lincoln would have been better adapted to his great mission, than by the teachings of the life and circumstances in which he was reared. Perhaps, as Byron says:

> "Must such minds be nourished in the wild,
> Deep in the unpruned forest, midst the roar
> Of cataracts, where nursing nature smiled
> On infant Washington."

But his education was, as yet, scarcely begun, and was to be fashioned by after events, the faintest glimmer of which had not yet dawned upon the simple hearted boy.

In 1832, difficulties between the Sac Indians, under their Chief, Black Hawk, and the whites occurred, known as the Black Hawk war. Volunteers were called for by Governor

Reynolds, of Illinois, and a company was raised in Menard county and neighborhood. Among the volunteers was Lincoln. He, and a man by the name of Kirkpatrick, were candidates for the position of Captain. The mode of election was for each candidate to take his position by himself, and the men were directed to arrange themselves in line, with the one they preferred for their leader. Lincoln's line was three times as long as Kirkpatrick's, and he was triumphantly elected. Speaking of this incident, when President, he said that he was more elated over this, his first triumph, than any other election in his life. He was very popular among the volunteers, on account of his great physical strength, and his ability to tell more and better stories than any other man in the little army. He served during the campaign, but had no opportunity of testing his prowess against the Indians. After the war, he held, for a short time, the office of Postmaster at New Salem.

On his return from the campaign of the Black Hawk war, Lincoln being twenty-three years of age, his neighbors brought him out as a candidate for the Legislature. The vote given for him by the people of New Salem was unanimous. There were two candidates for Congress voted for, and their aggregate vote was 206, Mr. Lincoln received 207. This unanimous vote showed his personal popularity. The people of New Salem asked and obtained for him the appointment of Postmaster. He accepted it, because it gave him an opportunity to read all the newspapers taken in the town. It was in relation to the funds received by him as Postmaster, that an incident occurred that gave a striking illustration of his scrupulous integrity. He had left New Salem, and had removed to Springfield, and was struggling with poverty; indeed he was so poor that he had difficulty in supplying the necessaries of life. After his removal to Springfield, and some years after he had ceased to be Postmaster, a draft was sent out for collection for the balance, $16.00, of Post-office money received by him. It was contrary to the regulations of the Post Office Department for him to pay this balance until it was drawn for. My informant, Dr. Henry, accompanied the agent with the draft, to Mr. Lincoln's office, where

it was presented for payment. Knowing Lincoln's poverty, and doubting whether he had the money on hand to meet the draft, the doctor had accompanied the officer, with the intention of loaning him the money to pay it.

Upon the drafts being presented, Lincoln asked the officer to be seated a moment, went to his boarding house, and directly returned with an old stocking with a quantity of silver, and copper coin, tied up in it. Untieing the stocking, he poured the contents upon the table and proceeded to count the coin. It was in the small silver and copper coin, sixpences, shillings, quarter dollars, and half dollars and cents, such as the country people were in the habit of using in those days, in paying postage. On counting the coin, it was found to be the exact amount of the draft, and the identical coin which had been received. Lincoln never used, even temporarily, any money that was not his. He said he felt that the money belonged to the Government, and that he had no right to exchange or use it for any purpose of his own. This evidence of strict integrity and fidelity to trust was the more striking, because he had frequently during the period he had held this money, been compelled to make large discounts upon notes he had received for fees, and sometimes to borrow money to pay his small bills.

At this period of his life Lincoln became like Washington, an accurate, practical surveyor. He commenced reading law while living at New Salem. Major John T. Stuart encouraged him, loaned him books, which he carried in his arms to his home, and there read law part of the time, and practiced surveying to pay for his board and clothing. In 1834, he was elected to the Legislature of Illinois and walked to Vandalia, more than one hundred miles, to take his seat. He was re-elected in 1836. At the session of 1836, he met, as a fellow member, S. A. Douglas, and these two men, taking opposite sides, soon became prominent leaders, Lincoln of the whig, and Douglas of the democratic party of Illinois. In 1838, Mr. Lincoln was again elected to the Legislature, and he received the vote of his party for Speaker, lacking but one vote of being elected. In 1840, he was again elected and again

received the vote of the whig members of the Legislature, for Speaker.

The popularity of Mr. Lincoln and his position as a leader, is established by the fact, that he received, again and again, the votes of his party friends, for Speaker. The legislation at this period of the history of Illinois, consisted mainly, in passing acts for the opening of roads, the passage of local bills, and for the construction of a canal to connect Lake Michigan and the Mississippi, by the Illinois river; known as the Illinois and Michigan Canal; the adoption of a general system of internal improvements by railroads, and the promotion of education. In regard to all these measures Lincoln was an active and influential member. In March, 1837, resolutions of an extremely pro-slavery character, were introduced into the Legislature and carried through by large majorities. Illinois, at that time, was made up largely of emigrants from the slave States, filled with the prejudices of that section, and the feeling against anti-slavery men was violent and almost universal. Lincoln was one of the two men, who had the moral courage to put on record, at that period, a protest against these pro-slavery resolutions. In this protest, he and his associate, Dan Stone, declared their belief, that slavery was founded in both injustice and bad policy.

Lincoln had been admitted, in 1837, as an attorney and counsellor at law, by the Supreme Court of Illinois, but his duties as a member of the Legislature interfered, materially, with his practice. Upon his retirement, he devoted himself with great energy and zeal to his profession.

Illinois was, at this time, divided into several judicial circuits; each circuit consisting of several counties, and the Judges of these circuits, meeting together, at the Capital, constituted the Supreme Court; to which cases were taken by appeal and writ of error. The Judges and leading members of the bar, generally started together, to "*ride the circuit.*" There were few, and frequently no lawyers in those counties, where there was no considerable village or town, and the members of the bar, traveled on horseback following the court, from county to county.

The country was new, sparsely settled, the people hardy, fearless, honest, but spirited and litigious. The court houses were generally built of logs, sometimes framed and boarded up. With a raised desk, behind which sat the Judge; a small table for the clerk, and another larger table, sometimes covered with coarse green cloth, around which sat the bar. Rude chairs, or ruder benches, constituted the seats for the lawyers and jury. The court room was always crowded. Here were rehearsed and acted the dramas, the tragedy, and the comedy of real life; and the court house was always very attractive to the people of the back-woods. It supplied the place of a theatre and concert room, and other places of amusement of older settlements and cities; hence crowds always attended the courts, to see the Judges, and hear the lawyers "plead." A court room in the West, was ever a popular institution; the advocates had their partizans, political and personal, and the merits of each were canvassed in every cabin and school house, at every house raising, and bee, and horse-race in the county. The lawyers were stimulated to the utmost exertion of their powers, not alone by controversy and contention for success, but by the consciousness that every effort was watched with the greatest eagerness by friends, rivals, and partizans. At this time the Judges, who composed the bench of Illinois, were very able men. Justice McLean, of the Supreme Court of the United States, was the circuit Judge, holding, personally, two terms of the United States Circuit Court at the Capital in Springfield. Judge Nathaniel Pope, father of Major General John Pope, was the district Judge. He was a man of great vigor of mind and independence of character. Although he had read a much smaller number of books than Judge McLean, such was the strength of his reasoning powers, that when the district and circuit Judges differed, as was very often the case, on any question of law, Pope was quite able to hold his own with his superior in rank.

On the bench of the Supreme Court of the State, among the most prominent men were William Wilson, Chief Justice, Samuel D. Lockwood, Thomas Ford, afterwards Governor, Sidney Bruce, afterwards Senator of the United States,

Stephen A. Douglas, and at a later day Lyman Trumbull, John Dean Caten, and others. There gathered at an early day, around the plain pine tables of the frontier court houses of Illinois, a very remarkable combination of men. Among them, and immediately a leader, was Stephen A. Douglas, who had been admitted to the bar in 1834, O. H. Browning, late Senator, admitted in 1835, Abraham Lincoln, Lyman Trumbull, Chairman of the Judiciary Committee and a distinguished member of the Senate, admitted in 1837, Richard Yates, Governor and Senator, admitted in 1838, David Davis, now Justice of the Supreme Court of the United States. Besides these, there were E. D. Baker, the eloquent Senator from Oregon, and the martyr at Ball's Bluff; General John J. Hardin, who fell upon the bloody field of Buena Vista, Governor William H. Bissell, whose eloquent vindication of the bravery of the Illinois Volunteers in the Mexican war, against the aspersions of the traitor Davis, is still remembered in the traditions of great speeches in Congress; General James Shields, Justin Butterfield, Logan, Richardson, Washburn, Judd, and many others, prominent in the civil and military history of the country. It was among such men that Lincoln contended, at the bar and on the stump, and was trained for the high and solemn duties which were before him. From 1840 to 1860, his name will be found, as often as any, in the judicial Reports of Illinois.

The circuit practice, as conducted in Illinois, was admirably adapted to educate, develop and bring out, all that a man had, of intellect and character. Few books could be obtained upon the circuit, and no large libraries for consultation, were to be had anywhere. A case lawyer was helpless in the hands of the intellectual giants which were produced by these Circuit Court contests, where questions must be argued and settled upon principle and analogy. A few elementary books were carried about in the saddle bags, along with the very scanty wardrobe of the attorney; such as Blackstone, Kent's Commentaries, Chitty's Pleadings and Starkie's Evidence. These were read and re-read, until the text was as familiar as the alphabet. By such aids as these afforded, and the application of principles, all the complex

questions which arose, were settled. No better school for intellectual training could be found anywhere. Lincoln rapidly rose to be among the first at the Illinois bar. He continued his general studies, reading history and English literature, so far as the few books he could procure would enable him. He mastered Euclid, while traveling the circuit. As a lawyer, he had some very striking peculiarities. First, he thoroughly mastered every case. In his power of analysis and clearness of statement, he had no superior, if any equal. His love of truth, fairness and justice were never, to any extent, perverted by his profession; consequently, on the wrong side, he was weak, but on the right side, he was perfectly irresistible with court and jury. He was always popular with the bench, the bar, the jury and the spectators. His humor and power of illustration by apt comparison and story-telling, his power to ridicule by apt and ludicrous anecdotes were inexhaustible. "*Riding the circuit*" involved all sorts of personal adventures. Hard fare, at miserable country taverns, sleeping on the floor, and fording streams are among the common everyday incidents. In fording streams, the future President, was sometimes sent forward as a pioneer. His extremely long legs enabled him, by removing his pantaloons, boots and stockings, and taking his coat-tails under his arms, to ascertain without wetting his garments, where the streams offered the best fording places, and often to pilot the party, through streams, that, at first sight, seemed unfordable.

It was the habit of Mr. Lincoln, always in an important case, to make, mentally, an argument against his side of the case, and answer it.

His statement of his case as a lawyer, or as a stump speaker, was generally a demonstration. He had the power of divesting it of all extraneous circumstances, and stating simply and clearly the exact issue, the precise turning point in the discussion.

He was always so unassuming, so modest, and so respectful, and yet so dignified in the assertion of a right, that he disarmed opposition, and nobody, whose opinion had not already been formed, could listen to Lincoln long, without wishing his to be the winning side. Indeed he was a great

favorite on the circuit, and his arrival at court was always hailed with joy by bench and bar. His inexhaustible store of anecdotes, his good humor and kind feelings made him always most welcome.

It was the universal practice of Mr. Lincoln to aid by his counsel and advice, the younger members of the bar, in the preparation and management of their cases. He never took a technical advantage, and would, if his opponent was young, or a stranger, point out to him formal errors in his pleading or practice. He wished to succeed only on the merits of his case. His manner of conducting jury trials was peculiar: he was familiar, frequently colloquial; often, at the summer term, taking off his coat, and leaning upon the rail of the jury box, he would single out a leading jury man and addressing him, in a conversational tone, would with the utmost candor and fairness, reason the case. When he perceived that he had secured the judgment of the one so addressed, he would then turn to another, and address him in the same manner, until he was satisfied the jury were with him. But at times, when thoroughly aroused by injustice, fraud, or falsehood, his denunciation was of crushing severity. There have been instances in which parties and witnesses, unable to withstand his exposure and invective, were driven from the court room.

He was very felicitous in his examination of witnesses. He generally kept them in good humor with himself, and his own love of humor and story-telling, led him sometimes, to ask a witness if he had ever heard a particular story; this was sure to be a story so apt in its illustration of the point he was making, that it furnished an argument which the jury did not forget.

A year or two before his marriage, Mr. Lincoln, was induced to accept a challenge to fight a duel with James Shields, since Senator and General.

Shields was at that time a young, hot-blooded, gallant Irish barrister, living at Springfield.

A practical joke had been played upon the gallant and susceptible young Irishman, by some of the lively and thoughtless young ladies of the city, and in allusion to it, a

sarcastic, and witty poem appeared in the Sangamon *Journal*, then edited by Simeon Francis; Shields' hot blood was roused, and he went at once to Francis, and demanded the name of the author, otherwise he would hold Francis personally responsible. The poem was in fact written by a young lady. Francis was not willing to expose the young lady, and yet was without the courage to meet the fiery Irishman in the field. Remembering that Lincoln was a friend of this young lady, he in his dilemma, sought his advice.

Lincoln, at once, told Francis to say to Shields, that he might hold him responsible for the poem. Shields immediately challenged Lincoln, and he accepted the challenge, selecting broadswords as the weapons. The place of meeting was an island in the Mississippi. Arrangements for the meeting were completed, and the parties started to go to it, but through the influence of friends, the matter was arranged. Lincoln stated afterwards, that he selected broadswords, because his arms were long, and he believed, that without hurting Shields, he could protect himself.

In November, 1842, he married Miss Mary Todd, daughter of Hon. Robert S. Todd, of Kentucky. With her he lived most happily, until he fell, covering her with his blood, when so fiendishly assassinated by Booth, the wretched instrument of the slaveholders. He was ever a devoted and most affectionate husband and father; and in all his domestic relations, indulgent, kind and loving.

At the July term of the Supreme Court, 1841, Mr. Lincoln brought before it a case involving a discussion of the ordinance of 1787, prohibiting slavery in the Northwest territory, and the Constitution of Illinois prohibiting slavery within that State. Slaves were held by some of the French settlers in Illinois, at the time of the adoption of the ordinance of 1787, and the Constitution of the State; but in violation of law.

A suit was brought and judgment rendered in the Circuit Court of Tazewell county, upon a note, given for a negro girl named "Nance." She was represented to have been an indentured slave or servant, and sold as such; the note was given for her, and judgment rendered upon it. Mr. Lincoln

brought the case to the Supreme Court, and made an exhaustive argument against the judgment. He took the position that the note was void; that the girl, "*Nance*," was free and could not be the subject of sale. That the girl, residing in Illinois, was free by virtue of the ordinance of 1787, and the Constitution, prohibiting slavery. He argued, that the presumption of law was, that every person was free, and this without regard to color; the record showing that the note in question was given for a negro girl, the note was absolutely void. The court sustained these views, and reversed the judgment. It is believed that no attempt has since been made to sell a human being in the State of Illinois.*

In 1843, there were three prominent gentlemen spoken of for Congress, in the Springfield district, viz., Colonel E. D. Baker, afterwards Senator from Oregon, John J. Hardin, of Morgan county, and Mr. Lincoln. Baker's friends carried the Sangamon county delegates, and appointed Lincoln one of them, to go to the convention, instructing him to vote for Baker. He said, "in trying to get the nomination for Baker, I shall be 'fixed' a good deal like the fellow who is made groomsman to the man, who has '*cut him out*,' and is marrying his own gal!'" General Hardin, however, secured the nomination, and was elected. In 1844 came the Presidential contest between Clay and Polk. From boyhood, Clay had been the political idol of Mr. Lincoln, and he went into the contest for him with his whole heart. As the candidate for Presidential elector, he canvassed the State of Illinois, and a portion of Indiana, for his favorite. In this canvass, he met Judge Douglas, and other leading Democrats, and established his position as one of the ablest political debaters of the country. He was greatly disappointed and chagrined by the defeat of Mr. Clay. In 1846, Mr. Lincoln visited Kentucky, to hear Mr. Clay make a speech upon gradual emancipation. Both the orator and the subject possessed great interest for him.

With all his modesty and personal kindness, no one ever doubted the courage of Lincoln. Any number of incidents illustrating this could be cited. On one occasion, while Col-

* An imperfect report of this case will be found in 3 Scammon, Ill. Reps., p. 71.

onel Baker was speaking, some rowdies undertook to remove him from the stand. Baker was speaking directly under a scuttle, and it turned out that Lincoln was above, listening to the speech. No sooner were the threats made, and before the belligerents could reach the stand, the tall, athletic form of Lincoln descended through the opening and springing to the side of Baker, exclaimed, "Gentlemen, let us not disgrace the age and country in which we live! This is a land where freedom of speech is guaranteed. Mr. Baker has a right to speak, and ought to be permitted to do so. I am here to protect him, and no man shall take him from this stand if I can prevent it."

In 1846, Mr. Lincoln was nominated for Congress, and "*stumped*" his district as the candidate of the whig party. Texas had been annexed; the Mexican war was pending; the tariff of 1842 had been repealed. These subjects formed the topics of discussion, especially the annexation of Texas, in the interests of slavery. Lincoln received more than his party strength, in his county and district, showing his great personal popularity, and was elected. He took his seat in the Thirtieth Congress, December, 1847, the only whig member from Illinois.

Mr. Douglas had, already, run a brilliant career in the House, and at this same session, took his seat for the first time, in the Senate. They had met in the Illinois Legistature. Douglas was, ever, the more adroit politician. He was acting with a party, strongly in the majority, which he marshaled and controlled. A reference to the Congressional Globe, of this period, will show as members of this Congress, John Quincy Adams, George Ashmun, Caleb B. Smith, John G. Palfrey, Robert E. Winthrop, Jacob Collamer, Andrew Johnson, Samuel F. Vinton; and also Robert Toombs, Alexander H. Stephens, Robert Barnwell Rhett, Howell Cobb, prominent leaders of the rebellion. In the Senate, were Daniel Webster, John Davis, John P. Hale, General John A. Dix, Daniel S. Dickinson, William L. Dayton, Simon Cameron, Mason and Hunter, from Virginia, John C. Calhoun, John J. Crittenden, Thomas Corwin, Jefferson Davis, Henry S. Foote, Thomas H. Benton, and Lewis Cass.

Mr. Lincoln went into Congress with the reputation of an able political debater, which reputation he sustained and increased. He took a more prominent part in the debates than is usual for a new member during his first term. He spoke on the general political questions of the day; the Mexican war; and on several questions regarding the ordinary business of legislation. On the 12th of January, 1848, he made a speech on the President's message and the war, which established his reputation in Congress as an able debater. The speech is clear, direct, argumentative; without any waste of words, compact, and full of matter.

Mr. Douglas, in their joint debate at Ottawa, charged him "with taking the side of the common enemy against his own country," in the Mexican war.

Mr. Lincoln, in reply, said, "I was an old whig, and whenever the democratic party tried to get me to vote that the war had been righteously begun by the President, I would not do it. But when they asked for money or land warrants, or anything to pay the soldiers, I gave the same vote that Judge Douglas did. When he conveys the idea, that I withheld supplies from the soldiers who were fighting in the Mexican war, or did anything else to hinder the soldiers, he is, to say the least, grossly and altogether mistaken, as the records will prove."

On the 20th of June, 1848, General Cass having been nominated for President, Mr. Lincoln, in an able speech in support of appropriations for the improvement of Western harbors and rivers, opposed the election of Cass, and ridiculed his position on that subject.

He made another speech on the 27th of July, after the whigs had nominated General Taylor for President, which is full of ability, keen sarcasm, and is worthy of comparison with the great efforts which he afterwards made in his debates upon the slavery question. It was designed as a campaign document and for that purpose was very effective. He said:

The gentleman from Georgia, (Mr. Iverson,) says, we have deserted all our principles, and taken shelter under General Taylor's military coat-tail; and he seems to think this is exceedingly degrading. Well, as his faith is, so be it unto him. But can he remember no other military coat-tail under which a certain other party have been sheltering for nearly a quarter of a century? Has he no acquaintance

with the ample military coat-tail of General Jackson? Does he not know that his own party have run the last five Presidential races under that coat-tail, and that they are now running the sixth under the same cover? Yes, sir, that coat-tail was used, not only for General Jackson himself, but has been clung to with the grip of death by every Democratic candidate since. You have never ventured, and dare not now venture, from under it. Your campaign papers have constantly been "Old Hickories,' with rude likenesses of the old General upon them; hickory poles and hickory brooms your never ending emblems; Mr. Polk, himself, was "Young Hickory," "Little Hickory," or something so; and even now your campaign paper here is proclaiming that Cass and Butler are of the true "Hickory Stripe." No, sir; you dare not give it up. Like a horde of hungry ticks, you have stuck to the tail of the Hermitage lion to the end of his life, and you are still sticking to it, and drawing a loathsome sustenance from it after he is dead.

A fellow once advertised that he had made a discovery, by which he could make a new man out of an old one, and have enough stuff left to make a little yellow dog. Just such a discovery has General Jackson's popularity been to you. You not only twice made President of him out of it, but you have had enough of the stuff left to make Presidents of several comparatively small men since; and it is your chief reliance now to make still another.

Mr. Speaker, The gentleman says we have deserted our principles, and turned Henry Clay out, like an old horse, to rot.

Old horses and military coat-tails, or tails of any sort, are not figures of speech such as I would be the first to introduce into discussion here; but as the gentleman from Georgia has thought fit to introduce them, he and you are welcome to all you have made, or can make, by them. If you have any more old horses, trot them out; any more tails, just cock them, and come at us.

I repeat, I would not introduce this mode of discussion here; but I wish gentlemen on the other side to understand, that the use of degrading figures is a game at which they may not find themselves able to take all the winnings. "*We give it up.*"

Aye, you "give it up," and well you may, but from a very different reason from that which you would have us understand. The point—the power to hurt—of all figures, consists in the *truthfulness* of their application; and understanding this, you may well give it up. They are weapons which hit you, but miss us.

But, in my hurry, I was very near closing on the subject of military coat-tails, before I was done with it. There is one entire article of the sort I have not discussed yet; I mean the military tail you democrats are now engaged in dovetailing on to the great Michigander. Yes, sir, all his biographers, (and they are legion,) have him in hand, tying, tying him to a military tail, like so many mischievous boys tying a dog to a bladder of beans. True, the material they have is very limited; but they drive at it, might and main. He *in*vaded Canada without resistance, and he *out*vaded it without pursuit. As he did both under orders, I suppose there was, to him, neither credit in them; but they are made to constitute a large part of the tail. He was volunteer aid to General Harrison on the day of the battle of the Thames; and, as you said in 1840, Harrison was picking whortleberries, two miles off, while the battle was fought, I suppose it is a just conclusion, with you, to say Cass was aiding Harrison to pick whortleberries. This is about all, except the mooted question of the broken sword. Some authors say he broke it; some say he threw it away; and some others, who ought to know, say nothing about it. Perhaps it would be a fair historical compromise to say, if he did not break it, he did not do anything else with it.

By the way, Mr. Speaker; did you know I am a military hero? Yes, sir, in the days of the Black Hawk war, I fought, bled, and came away. Speaking of General Cass' career, reminds me of my own. I was not at Stillman's defeat, but I was about as near it, as Cass was to Hull's surrender; and, like him, I saw the place very soon afterwards. It is quite certain I did not break my sword, for I had none to break; but I bent my musket pretty badly on one occasion. If Cass broke his sword, the idea is, he broke it in desperation; I bent my musket by accident. If General Cass went in advance of me in picking whortleberries, I guess I surpassed him in charges upon the wild onions. If he saw any live fighting Indians, it was more than I did, but I had a good many bloody struggles with the musquitoes; and although I never fainted from loss of blood, I can truly say I was often very hungry.

Mr. Speaker, if I should ever conclude to doff whatever our democratic friends may suppose there is of black-cockade federalism about me, and, thereupon, they shall take me up as their candidate for the Presidency, I protest they shall not make fun of me, as they have of General Cass, by attempting to write me into a military hero.

Mr. Speaker, let our democratic friends be comforted with the assurance, that we are content with our position, content with our company, and content with our candidate; and that, although they, in their generous sympathy, think we ought to be miserable, we really are not, and now they may dismiss the great anxiety they have on *our* account.

They are kind enough to remind us that we have some dissensions in our ranks; I knew we had dissenters, but I did not know, they were trying to get our candidate away from us. Have the democrats no dissenters? Is it all union and harmony in *your* ranks? No bickering? No divisions? If there be doubt as to which of our divisions will get our candidate, is there no doubt as to which of your candidates will get your party? I have heard some things from New York; and if they are true, we might well say of your party there, as a drunken fellow once said when he heard the reading of an indictment for hog-stealing. The clerk read on till he got to, and through the words "did steal, take, and carry away, ten boars, ten sows, ten shoats, and ten pigs," at which he exclaimed—"Well, by golly, that is the most equally divided gang of hogs I ever did hear of." If there is any gang of hogs more equally divided than the democrats of New York are about this time, I have not heard of it.

On the adjournment of Congress, Mr. Lincoln took a trip into New England, and spoke often and earnestly in favor of General Taylor's election. He also stumped Illinois and other parts of the West, with great effect during this Presidential canvass. General Taylor's election inspired hopes that the administration would be, at least, fair and just towards the North on the slavery question.

At the second session of the Thirty-first Congress, the most important and significant act of Mr. Lincoln was the introduction into the House of a bill to abolish slavery in the District of Columbia. The bill provided that no person from without the district should be held to slavery within it, and no person thereafter, born within the district, should be held to slavery. It provided that officers of the government, being citizens of slave states, coming into the district on public business, might bring their slaves temporarily into the district, and hold them while necessarily engaged in public business. It provided for the emancipation of all slaves legally held within the district, at the will of the masters, and that full compensation should be made by the government, and that the act should be subjected to the approval of the people of the district.

The provisions of this bill have been quoted as evidence that Mr. Lincoln was not a thoroughly anti-slavery man. So far from proving this, it establishes the fact that he was such, and it proves also, that he was a practical statesman, and not a visionary theorist. He believed slavery was unjust to the slave, and impolitic for the nation, and he meant to do all in his power to get rid of it. He prepared his bill with reference to the condition of public sentiment, at that time, and what was possible to be accomplished. The bill represents what he hoped could, by the action of Congress, become a law, rather than his own abstract views of justice and right. The result showed that even this bill would not be tolerated by the slaveholders. Their opposition was so decided and unanimous, that the bill could not even be brought to a vote.

On the question whether slaves used and lost by the officers of the government while engaged in the Seminole war, should be paid for, as property, which was raised in the celebrated Pachecocase, Mr. Lincoln voted, "*no!*" He would not pay for them; thus refusing to recognize property in slaves, as against the right of the government to the services of all citizens, or persons black or white, in time of war.

Mr. Gott, of New York, introduced a resolution instructing the Committee on the District of Columbia, to report a bill abolishing the slave trade. Mr. Lincoln moved an amendment, instructing the Committee to report a bill to abolish, not the slave trade, but slavery.

Mr. Lincoln's Congressional term ended March 4th, 1849; he declined a reëlection, and was succeeded by the eloquent E. D. Baker.

He was a candidate for the appointment of Commissioner of the General Land Office, from President Taylor; for which place, he was recommended by the whig State Central Committee of Illinois. It was given to Justin Butterfield, a distinguished lawyer of Chicago.

Mr. Lincoln was tendered the position of Secretary, and then of Governor of Oregon; but fortunately for him, and the country, providentially, I ought to say, he declined. There was work for him this side of the Rocky Mountains In 1849-50, he was voted for by his party in the Illinois

Legislature, for the Senate; but the democrats had a large majority. The vote was a recognition of his position as the leader of his party.

From Mr. Lincoln's retirement from Congress, in 1849, until the passage of the Kansas and Nebraska bill, in 1854, he was engaged in the laborious and succesful practice of his profession. He rode the circuit, attended the terms of the Supreme Court, and United States District and Circuit Courts, and held a leading position at the bar.

Mr. Lincoln was the father of four children, Robert, Edward who died in infancy; William, the beautiful and most promising boy, who died at Washington, during his Presidency, and Thomas. The oldest and youngest, are living. Robert, a promising young man, who graduated with distinction at Harvard, Massachusetts, and who served for a short time on the staff of General Grant. Thomas, the youngest, is receiving his education at the excellent public schools in Chicago. The tenderness, affection, and indulgence of Mr. Lincoln for his family, were conspicuous, even while burdened with the cares of the Presidency. He was an indulgent and most affectionate father. The loss of his son Willie, seemed to make his affection for the youngest a passion. In the midst of the cares and annoyances of the Presidency, he was in the daily habit of reading to this child a chapter in the Bible. He governed his children by affection. His severest censure was an affectionate reproach. After the death of William, he seemed to cling, if possible, still more closely to the others, and it was no unusual thing, for the visitor at the White House, on the gravest subject, to find the President, with his young boy, "Taddy," as he was called, in his arms.

Mr. Lincoln was a good, natural mechanic, and when he again entered public life, was rapidly acquiring distinction as a patent lawyer. In the great case of McCormick against Manny, involving the question of infringement of the patent of McCormick's celebrated reaper, he was engaged for Manny. It is a curious fact, that in this case, he was opposed, among others, by two members of his cabinet, Messrs. Seward and

Stanton, the latter then practicing law at Pittsburgh and Washington, with great distinction. Mr. Lincoln invented, and patented an apparatus for lifting steamers over shoals and bars in the Western rivers. The curious, may find the model, made by himself, among the curiosities of the Patent Office at the Capital. His practical skill as a mechanic, his wonderful power of statement and illustration, his ability to make the most abstruse point clear to the common mind, made him almost unequaled as a patent lawyer. He had, at this period of his life, a very large, and it might have been, a very lucrative practice, but his fees were, as his brethren of the law called them, ridiculously small. He lived simply and respectably, with no expensive tastes or habits, his wants being few and simple. The only instance known of his taking a fee, regarded as large, was the charge of five thousand dollars to the Illinois Central Railroad, for services in a very important case in the Supreme Court. This rich corporation, with a road and branches running more than seven hundred miles in the State of Illinois, the case involving questions of great difficulty, and of vast pecuniary importance to the corporation, his friends insisted that he should charge a liberal fee for the very important and valuable services he rendered. He never, knowingly, accepted a fee to support fraud, injustice, or wrong; but to the poor, the oppressed, the weak, his services were ever ready, with or without a fee. The son of a poor widow, who had, in his early struggles befriended Lincoln and rendered him many kind offices, was indicted for murder; Lincoln, the moment he heard of it, wrote her a letter volunteering to defend her son. It was a case where public prejudice was strong against the accused, and the principal witness swore that he saw, by the bright light of the moon, the prisoner give the death-blow. Mr. Lincoln showed, by reference to the almanac, that there was no moon on the night in question. The case brought out all his power, as an advocate. His appeal and arguments were irresistible, and he carried the jury and the crowd with him. When the jury returned a verdict of "*not guilty*," the aged mother fainted in the arms of her son. Such was Lincoln's grateful return to the poor woman, who had aided him in

his days of struggle with poverty. In his arguments at the bar, Mr. Lincoln's style was generally plain and unimpassioned, and his professional bearing was so high and honorable, that no man ever questioned his truthfulness, or his honor. No one, who ever watched him for half an hour, in a hard contested case, would doubt his ability. He had a clear insight into the human heart; knew jury, witnesses, parties, attorneys, and how best to address and manage all. His statement of his case was an argument of itself; his illustrations, often quaint and homely, yet always clear and presented with sincerity and earnestness of manner, generally carried conviction. He never misstated evidence, or law, but met the case squarely and fairly. Such was Mr. Lincoln at the bar, a fair, honest, able lawyer, on the right side, always successful — avoiding, carefully, the wrong side, and when he found himself upon it, either throwing up his case, or making an effort so weak, that the jury, generally said, "Lincoln is on the wrong side; he don't try."

The last case which Mr. Lincoln ever tried, was the case of *Jones* v. *Johnson*, tried in the United States Circuit Court at Chicago, in the Spring of 1860, before the Hon. Thomas Drummond, District Judge. The case involved the title to land of great value, which had been formed by *accretion*, on the shore of Lake Michigan, by the gradual action of the lake. It led to an investigation of ancient land marks and boundaries, old Government surveys, and maps; the location of the lake shore when the town of Chicago was first platted into town lots, etc. It involved the recollections of the old settlers, and was a case peculiarly fitted for Mr. Lincoln's powers. The case was tried by Mr. Lincoln, and Messrs. Wilson & Fuller, and others, for the plaintiff, Jones, and by Judge B. S. Morris, and the author,for the defendant.

Mr. Lincoln obtained a verdict in favor of his client, although in the previous trials, the result had been the other way.

CHAPTER IV.

LINCOLN AND SLAVERY FROM 1854 TO 1858.

LINCOLN AND DOUGLAS DEBATE AT SPRINGFIELD, 1855 — AT PEORIA — ELECTION OF TRUMBULL TO THE SENATE — REORGANIZATION OF PARTIES ON THE SLAVERY ISSUE — THE REPUBLICAN PARTY — PRESIDENTIAL ELECTION OF 1856 — MARGARET GARNER — BROOKS' ASSAULT ON SUMNER — LINCOLN'S HATRED OF SLAVERY — BUCHANAN — KANSAS — LECOMPTON — DOUGLAS — THE DRED SCOTT CASE — SLAVERY DOMINANT, AND ITS EFFECTS UPON THE REPUBLIC.

IN 1854, events occurred, which brought into public action all the power and energy of Mr. Lincoln. The repeal of the Missouri Compromise, the struggle for, and outrages in Kansas, brought him again prominently before the people of Illinois, and from this time, he devoted himself to the conflict between freedom and slavery, until he was elevated to the Presidency. The conviction settled upon his mind, that there could be no peace on the slavery question, until freedom or slavery should triumph.

When Senator Douglas returned to Illinois, after the passage of the Kansas-Nebraska bill, he was met by a storm of indignation, which would have overwhelmed a man of less power and will. Like a bold and couragous man, confident of his power over the people, he met the storm, and sought to overcome it. At his first attempt to address the people at Chicago, he was refused a hearing, but he would be and was heard. Early in October, the State fair was held at Springfield, and his personal and political friends from all parts of the State, made it a point to be there, as it was known Douglas would be present and attempt to vindicate his action. When it was known that Douglas was to speak, Lincoln was

called upon by those who disapproved of the course of the Senator, to reply. Douglas spoke to a vast crowd of people, with his usual great ability. His long experience in debate, his confidence in himself, made him somewhat arrogant and overbearing. Lincoln listened to his speech, and at the close, it was announced, that he would, on the following day, reply. Douglas was present at this reply, which occupied more than three hours; during all this long period, Lincoln held his vast audience in close attention. No report of this speech has been made, but it was undoubtedly one of the greatest efforts of his life. A by-stander, describing the speaker and the speech, says. "His whole heart was in the subject. He quivered with feeling and emotion. The house was as still as death." The effect of the speech was most magnetic and powerful; cheer upon cheer interrupted him. Women waved their handkerchiefs, men sprung from their seats and waved their hats, in uncontrollable enthusiasm.

As soon as Lincoln concluded, Douglas sprung to the stand and said he had been abused, "though in a perfectly courteous manner." He spoke until the hour for supper, but without his usual success. He said he would continue his remarks in the evening, but he did not. He was evidently unprepared for the tremendous effort of Lincoln, and could not immediately recover from it.

Their next place of meeting was at Peoria; Mr. Lincoln followed Douglas to that place, and challenged the discussion. On this occasion, as at Springfield, Lincoln replied to Douglas, in a speech of some three hours length, and carried the audience almost unanimously with him. On these two occasions, more perhaps than any other in his life, was Douglas disconcerted by the vigor and power of the reply to him. A consciousness of being in the wrong may have contributed to this result. It was perfectly clear, that Lincoln spoke from the most deep and earnest conviction of right, and his manner indicated this. Mr. Lincoln desired to continue the discussion with the author of the Kansas-Nebraska bill, in other parts of the State, but Douglas declined.

General Shields, who was the colleague of Douglas in the Senate, whose term was about to expire, had voted, under

the influence of Douglas, for the Kansas-Nebraska bill. He was a candidate for reëlection. Mr. Lincoln having been the leader of the whig party, now the leader of all who opposed the repeal of the Missouri Compromise, and the Kansas outrages, was brought prominently forward for the place. The free soil democrats, whigs, and liberty party men, were united and carried a majority of the Legislature. Lincoln would have been elected Senator, as he was the choice of a large majority of the anti-Nebraska members, so elected; but among the Senators, who had been elected as democrats, and who held over, but who would vote for an anti-Nebraska democrat, for the Senate, were N. B. Judd, B. C. Cook, Palmer, (now Major General Palmer,) and Parks. These gentlemen, while appreciating Mr. Lincoln's ability, and his great services, felt that they could not vote for a whig, and brought forward Lyman Trumbull as a candidate. On ascertaining these facts, seeing danger, that unless prevented by the immediate concentration of the anti-Nebraska members, Governor Matteson, a democrat, would be elected, Mr. Lincoln, with the generous magnanimity and unselfish devotion to principle which ever characterized him, withdrew his name as a candidate; and by earnest, personal appeals, induced his friends to vote solid for Judge Trumbull, and thus secured his election. Meanwhile the Thirty-fourth Congress had been elected and convened in December, 1855. The old whig party had been dissolved, and out of it had sprung two parties, calling themselves the American, and the republican parties. At this Congress, neither party having a majority, a long struggle ensued for the election of Speaker, which after sixty days' ballotting, resulted in the election of N. P. Banks, of Massachusetts, over ex-Governor Aiken, of South Carolina. The slavery question absorbed public attention, and political contests before the people, centered more and more upon that question, as the Presidential election of 1856 approached.

The friends of freedom, elevated by the consciousness of a great cause, animated by the advocacy of great principles, and a generous love of liberty, conscious of the moral sublimity of their position, grew more and more confident of success. The slavery question had shattered and broken up

the old party organizations. From the fragments of former parties, there existed the material, which if it could be united, and brought together, would constitute a powerful and successful party.

There had been in the great democratic organization, an earnest and powerful element opposed to slavery; but as that party had passed more and more into the control of the slaveholders, this element had been driven out. The old whig party had been broken up; the party calling itself American, was not sufficiently broad, national, and catholic to suit the American people. The time had come, it was believed by many, for the organization of a new party, which should embody the vitality, vigor, and the genuine democratic principles of the ancient democracy; a party which earnestly and heartily believed in the Declaration of Independence; a party that should combine the best elements of the old parties, and all the earnest anti-slavery men of the country.

This new organization needed a leader, and found one, unconciously to itself, and to him, in Abraham Lincoln. He was selected by the instincts of the masses of the people. In principle, in character, he was, of all others, the representative man of this new organization.

The aggressions of the slaveholders, and their outrages in Kansas, had intensified the feeling of hostility to slavery, and in that hostility was to be found a common bond of union.

Hitherto the democratic party, under the attractive name of democracy, had secured the vote of the foreign born citizens of the republic. But a large and intelligent class, including the Swedes and Norwegians, and a very numerous body of Germans, and others, when they saw an organization distinctly hostile to slavery, which in all its forms they abhored, placing itself upon the broad principle of liberty, felt that their true position was in the ranks of this new party. If this powerful foreign element could be detached from the democracy, and join the new party now crystalizing, it would contribute very largely towards its early success.

But there were strong prejudices to be overcome between these foreign born citizens and that portion of the new party who had been called Americans.

The *new party* was organized in the Northwest, and thus the first cordial union between the Americans, and the foreign born citizens, was established upon the basis of hostility to, and the restriction of, slavery. The leaders of this new party called a convention at Pittsburgh, on the 22d of February, 1856. This convention laid down a platform of broad, comprehensive principles, and inaugurated the republican party. F. P. Blair, Sen., was a leading member of this convention.

A convention of the people of Illinois was called at Bloomington, in May, 1856, to appoint delegates to the National convention which was to meet at Philadelphia in June, to nominate candidates for President and Vice President. The free-soil democrats, anti-Nebraska democrats, whigs, Americans, and liberty men of Illinois, and of all nationalities, were brought together at this convention, and mainly through the influence of Mr. Lincoln, united on the broad platform of the Declaration of Independence, and hostility to the extension of slavery.

Great difficulty was found in laying down a satisfactory platform of principles; finally, after much controversy and discussion, with no satisfactory result, Mr. Lincoln, who was present, was sent for by the committee on resolutions, and he solved the difficulty, by suggesting that all could unite on the principles embodied in the Declaration of Independence and hostility to the extension of slavery. This suggestion was immediately accepted. "Let us," said he, "in building our new party, plant ourselves on the rock of the Declaration of Independence," and "the gates of hell, shall not be able to prevail against us." The convention, thereupon resolved,

"That all men are endowed with the inalienable right to life, liberty, and the pursuit of happiness; and that the object of government is to secure these rights to all persons within its jurisdiction;" this, and hostility to slavery, and a determination to resist its further extension, was the substance of the platform adopted. Thus was organized the party that revolutionized the democratic State of Illinois,

against the powerful influence of Douglas, and ultimately elected Mr. Lincoln to the Presidency.

The representatives of this new party from all parts of the free States, and some of the slave States, met at Philadelphia, in June, 1856. The great difficulty in regard to union was again successfully encountered, and overcome, mainly through the influence of Mr. Lincoln, and his friends from the Northwest. The platform was substantially the same as that on which the friends of Mr. Lincoln had determined to fight the battle in Illinois. The convention nominated John C. Fremont for President, and William L. Dayton, for Vice President. It was at this convention, that Mr. Lincoln, as the leading statesman of the broad, national Northwest began to be appreciated, and in the informal ballot for Vice President, he received one hundred and ten votes.

The democratic party met at Cincinnati, on the 2d of June, and on the first ballot for President, the vote was for James Buchanan, 135, Franklin Pierce, 122, S. A. Douglas, 33. On the sixteenth ballot, the vote stood, Buchanan, 168, Douglas, 121. Buchanan was afterwards nominated, Douglas being considered unavailable, because of his direct connection with the repeal of the Missouri compromise, and Pierce, because of the outrages committed upon the free State setlers in Kansas, under his administration. John C. Breckenridge was nominated for Vice President.

The convention, although it could not nominate Douglas, yet "*adopted the principles contained* in the organic laws, establishing the Territories of Kansas and Nebraska. It also endorsed the compromise measures of 1850.

By the course of the Southern whigs, in voting for the repeal of the Missouri compromise, and the subsequent support by its leaders, of the compromise measures of 1850, that venerable party was broken up, a large portion of its young and active men joined the free-soil democrats and liberty men, in organizing and strengthening the republican party.

A portion of its aged and very respectable members, sometimes called "*Silver Greys*," from their venerable appearance, made up, what was called an American party, and these nominated Millard Fillmore for President, and Andrew J.

Donellson, for Vice President. When the convention nominating these gentlemen laid upon the table a resolution declaring, "That the convention should nominate no man for President and Vice President, who was not in favor of interdicting the introduction of slavery into territory North of 36° 30′, by Congressional action;" about fifty delegates withdrew from the convention, and gave their influence for Fremont and Dayton.

The republican convention, nominating Fremont and Dayton, placed itself distinctly and squarely on the great principle of American freedom so emphatically asserted in the Declaration of Independence, and declared, "That with our republican Fathers, we believe it to be a self-evident truth, that *all men* are endowed with the inalienable rights of life, liberty, and the pursuit of happiness," and that it was the object of the Federal Government to secure these rights to all persons, within its exclusive jurisdiction, and the convention denied the right of Congress, a territorial Legislature, or any individual, or association of individuals, to give legal existence to slavery in any territory of the United States, and declared that it was the right and duty of Congress to prohibit in the territories, these twin relics of barbarism, polygamy, and slavery."

Then followed one of the most animated and closely contested political campaigns known in the history of the republic. Up to the time of the October State elections, the success of the republican party seemed very probable. The democratic party, however, succeeded in carrying, by small majorities, Pennsylvania, and Indiana, and this virtually, settled the contest. Buchanan received 172 electoral votes, Fremont, 114; and Fillmore the vote of the State of Maryland. The republican vote was largely increased by the outrages upon Northern feeling, in the offensive and inhuman enforcement of the fugitive slave law.

Two incidents occurred, during the year, and before the Presidential election, calculated to inflame the feelings of the free States, and strikingly illustrative of the character of slavery and the barbarism produced by it.

One morning, in January, 1856, two families of slaves escaped from Kentucky, and flying across the Ohio river, on the ice, they found refuge in the house of a poor negro. They were followed, traced, overtaken, and breaking open the door, a scene burst upon the eyes of the pursuers, which exhibits slavery as it was, before the war. In one corner of the room lay a beautiful child, nearly white, bleeding to death, with its throat cut. In an adjoining room, was the mother of the bleeding child, Margaret Garner, with two other wounded children, with the bloody knife in her hand, seeking to take their lives, desiring to kill all her children rather than they should be taken back to slavery.

They were all arrested, and the living taken back to Kentucky—sent South, and all trace of them lost in that hell of slavery existing in the Gulf States. This mother, who thus sought liberty for her children in death, was a beautiful mulatto, twenty-three years of age, of good character; she said she had determined to kill all her children, and then herself, rather than go back to slavery.

The other incident, to which allusion has been made, was the attack upon Charles Sumner, Senator from Massachusetts, by Preston Brooks, a member of Congress from South Carolina. Mr. Sumner had made an eloquent speech, on the Kansas question, exhibiting the barbarism of slavery, and had spoken, with some severity of Butler, of South Carolina, a relative of Brooks. Mr. Brooks, with Keitt, and other abettors, stole into the Senate Chamber, approached Sumner from behind, while seated writing at his desk, knocked him to the floor, and continued to beat him, while insensible, until his rage was thoroughly satisfied.

The House of Representatives censured, did not expel Brooks. He resigned and was reëlected without opposition. His constituents lauded the "*chivalric act!*" Sumner's real assassin was slavery! He has lived to see that assassin after striking at the life of the Nation, and at last, thoroughly arousing it—crushed beneath that Nation's manhood and power.

There were, during this canvass, many threats by leading men in the slave States, that in case Fremont should be

elected, the slave States would secede from the Union. Little consideration or attention was given to these threats; they were regarded as idle gasconade, only meant to influence voters.

The struggle between freedom and slavery, still went on. The slaveholders, elated with their triumph in the election of Buchanan, were now confident of success. The friends of freedom, so far from being discouraged by Fremont's defeat, became conscious of their power, and nerved themselves for still greater efforts. The contest of 1856 being over, they did not disband their forces and lay down their arms, but prepared for success in 1860. Old party issues and parties disappeared, and slavery extension became the vital issue. Very few, however, if any, doubted that the contest would be settled by peaceful agencies, and that the decision of the ballot box would be acquiesced in, or if not, would be appealed for new trial to the next election, as was ever the American custom.

Mr. Lincoln's opposition to slavery, became more and more intense with time, and the development of its cruelties. Writing to a friend in 1855, he said, "I hate to see the poor creatures hunted down, caught, and carried back to their stripes and unrequited toil." Seeing in a steamboat going down the Ohio, a dozen slaves shackled together with irons, he said, "That sight was a continual torment to me, and I see something like it every time I travel the Ohio, or any other slave border."

It was in the campaign of 1856, that no longer embarrassed by party, but standing on the platform of freedom, with which his whole soul sympathised, he exclaimed, with prophetic enthusiasm, "We will, hereafter, speak for freedom, and against slavery, as long as the Constitution guarantees free speech; until everywhere, on this wide land, the sun shall shine, and the rain shall fall, and the wind shall blow upon no man who goes forth to *unrequited toil.*"

Ah! how little did Lincoln think, when on the prairies of Illinois, he uttered that noble sentiment, that in less than eight years, his voice should utter the potential word of

"*emancipation*," from the date of which, thereafter, "no man should go forth to unrequited toil."

In March, 1857, Mr. Buchanan was inaugurated, and organized his cabinet; Lewis Cass was made Secretary of State; Howell Cobb, of Georgia, Secretary of the Treasury; John B. Floyd, of Virginia, Secretary of War; Isaac Toucey, of Connecticut, Secretary of the Navy; Jacob Thompson, of Mississippi, Secretary of the Interior; Aaron V. Brown, of Tennessee, Postmaster General; Jeremiah S. Black, of Pennsylvania, Attorney General.

The contest for the possession of Kansas, between freedom and slavery, still went on. The free-State men, after seeing Kansas repeatedly invaded by armed men from Missouri, the polls taken possession of, a legislature elected by non-residents, and the acts of such a Legislature recognized by the Federal officials, refused to participate in these mock elections, and calling a convention of the actual settlers, the people elected delegates, which met at Topeka, adopted a free-State Constitution, submitted it to the people, and it was almost unanimously adopted. They then proceeded to elect officers under it. This brought the contending parties into direct collision, and civil war menaced Kansas. Congress, in the winter of 1856, had appointed an investigating Committee consisting of William A. Howard, of Michigan, John Sherman, of Ohio, and M. Oliver, of Missouri, which, after full investigation, reported, that every election held under the auspices of the United States officials, had been controlled, not by actual settlers, but by residents of Missouri, and that every officer in the territory owed his election to non-residents.

The people's officers, elected under the Topeka Constitution, had been arrested, and the Legislature dispersed under orders of the President, by United States regular troops. In January, 1858, a body, calling itself the Legislature of Kansas, elected by fraud, pretended to submit to a vote of the people, a Constitution, called from the place where the Legislature had met, the Lecompton Constitution. The law by which this was submitted to a vote, contained a provision, that all votes should be "for the Constitution *with* slavery;

or for the Constitution *without* slavery;" and yet the Constitution itself recognized slavery, and contained a provision restricting the Legislature from interfering with slavery then in the territory, before 1864!

The people, by a vote of 10,226 against, to less than 200 for, this Constitution, expressed their opinion of the trick, and yet Mr. Buchanan had the shameless effrontery to urge upon Congress the admission of Kansas under this Lecompton swindle! It was by such disgraceful means that the statesmen, so called, of the slave States, sought to force slavery upon Kansas.

The repeal of the Missouri Compromise was fatal to the supremacy of the slave power, and the attempt to force slavery upon Kansas, and surreptitiously to introduce her into the Union as a slave State, under the lead of Buchanan, shattered the democratic party, and contributed largely to the triumph of the republican or free-soil party of 1860.

Douglas had the sagacity to see whither the extreme course of the administration was tending, and the courage to resist it. He led the opposition in the Senate to the Lecompton Constitution, and thereby atoned to some extent, for his instrumentality in the overthrow of the Missouri Compromise.

He presented, in February, 1858, the remonstrance of the Governor and State officers elect, of Kansas, elected under the Topeka Constitution, against its admission under the Lecompton Constitution. In the debate on this question, Mr. Fessenden, of Maine, said the people of Kansas had thrown a majority of over 10,000 votes against this very Constitution. That the great question through all the Kansas struggle had been, slavery, or no slavery. The leading idea of the repeal of the Missouri Compromise was to make Kansas a slave State. This was denied by Mr. Douglas, but was reiterated by Mr. Fessenden.

A passage occurred in this debate between Mr. Fessenden and Jefferson Davis, of curious interest. Mr. Davis expressed his concurrence not only with the message of the President, but his hearty approbation of the high motives that actuated him when he wrote it. Apparently looking forward to the separation of States, he held that a Senator, while sitting in

the Senate Chamber, was in the relation of a minister to a friendly Court, and that the moment he sees the government in hostility to his own State, his honor, and the honor of his State compel him to vacate the seat he holds. "I am, said he, not in the habit of paying lip service to the Union. If through a life, not now a short one, a large portion of which has been spent in the public service, I have given no better proof of my affection for this Union than my declarations, I have lived to little service indeed. Whatever evil may be in store for us, I trust I shall be able to turn to the past and say, that up to the period when I was declining into the grave, I served a government I loved, and served it with my whole heart."

Mr. Fessenden said, "*I* have avowed no disunion sentiments here or elsewhere. Can the Hon. Senator from Mississippi say as much?"

Mr. Davis, "Yes."

Mr. Fessenden, "I am glad to hear him say so, as the newspapers have represented him as making a speech in Mississippi, in which he said he came into Mr. Pierce's cabinet a disunion man."

Although the bill passed the Senate, yet by the determined and powerful opposition of the republican members, aided by a few votes which followed Douglas from the democratic ranks, the measure finally failed.

The opposition of Douglas to their schemes exasperated the slaveholding Senators, and they sought to degrade him by removing him from the position which he had long held, of Chairman of the Committee on Territories. This was done on motion of the infamous Slidell, of Louisiana.

But Douglas never exhibited more commanding ability than when he led the opposition in the Senate to the Lecompton cheat. The defeat of this scheme was for him a magnificent Congressional triumph.

Buchanan sent his tool, Slidell, to Illinois to organize a third party to defeat Douglas in the approaching canvass for the Senate.

But before approaching the great intellectual combat between the two champions of the Northwest, Lincoln and

Douglas, we must mention two or three other important topics which entered into the discussion referred to, and constitute a part of the history of the times.

We have seen that the Executive and Legislative Departments of the Government had long been under the control of the slaveholders. The Judicial Department, over which had once presided the pure and spotless abolitionist, John Jay, and the great Constitutional lawyer and intellectual giant, John Marshall, had become an object of profound reverence to the people. It had been the arena of the highest forensic discussions, involving the most important questions of private rights and Constitutional power. The great advocates of the country, lawyers whose names are classic in forensic literature, Pinckney, Henry, Emmet, Wirt, Mason, Dexter, Webster, Clay, Sargent, Ogden, and others, had there discussed with matchless ability, questions involving State rights, and National sovereignty and power, as well as the laws of Nations, and maritime and municipal law. This court had come to be regarded by the American people as the most dignified, enlightened, and august tribunal on earth. The period had now come in which the National Judiciary was to be prostituted, and American Jurisprudence disgraced by its efforts to uphold and strengthen slavery.

Dred Scott, a negro, held as a slave in Missouri, had been voluntarily taken by his master into the free State of Illinois, and subsequently to Fort Snelling, in territory lying North of the line of 36° 30″, where slavery was prohibited by law.

Upon the well settled principle of law, a master voluntarily bringing a slave upon territory where slavery is prohibited, the slave becomes free. Dred Scott became a freeman, and he brought suit for his liberty, and the case went up to the Supreme Court of the United States for final decision, was argued, and was to have been decided at the term of 1855.

But a majority of the judges, in view of the pending Presidential election, and the intense feeling then existing on the slavery question, postponed the decision until the next term, which would be subsequent to the Presidential election.

That decision, when promulgated, so shocked the moral sense of the people, and was such a palpable violation of law and decency, that there is little doubt if published before the election, it would have changed the result.

The court, through Chief Justice Taney, held: *First*, That Dred Scott being descended from an African slave, was not, and could not be a citizen of the United States, and therefore could not maintain a suit in the Federal Courts. This ended the case. But the point had been made that Scott was free by operation of the Missouri Prohibition of 1820. The Chief Justice, and a majority of his associates eagerly seized the opportunity to pronounce the prohibition of slavery unconstitutional and void; and they went on to say that by virtue of the Constitution, slavery existed in all the territories of the United States, and that Congress could not prohibit it.

Thus the revolution was complete.

The Federal Government was organized upon the principle that slavery was local, confined to State limits, and Congress prohibited it in all the then existing territories.

The Chief Justice and his associates, now decided that slavery, by virtue of the Constitution, was legal in all the territories, and that the right to take and hold slaves in all the territories, was a right which Congress could not prohibit.

The Chief Justice endeavored to show that colored men were not included in the Declaration of Independence, under the language of "*all men* are created equal, etc.;" but he declared that "for more than a century before the date of that instrument, they had been regarded as beings of an inferior order, and altogether unfit to associate with the white race; and so far inferior, that "*they had no rights which the white man was bound to respect;*" and that the negro might justly and lawfully be reduced to slavery for his benefit.

Mr. Justice Curtiss, in his able, dissenting opinion, showed that so far from this being true, that in the States of New Hampshire, New York, Massachusetts, New Jersey, and North Carolina, negroes had been not only citizens, but electors and voters. Mr. Justice Catron, of Tennessee, dissented from the opinion of the court that Congress could not legislate for the territories: he said "More than sixty years have

passed away since Congress has exercised power to govern territories by its legislation directly, or by territorial charters, subject to repeal; and it is now too late to call in question that power."

Thus slavery triumphed in every department of the Government, and seemed to hold an intrenched and unassailable position.

How does George Bancroft, the life long democrat, but with a reputation as a historian, which will not permit him to withhold the truth—when speaking at the grave of Lincoln, and in the presence of Eternity, characterise this decision? He says:

> The Chief Justice of the United States, without any necessity or occasion, volunteered to come to the rescue of the theory of slavery; and from his court there lay no appeal but to the law of humanity and history. Against the Constitution, against the memory of the Nation, against a previous decision, against a series of enactments, he decided that the slave is property; that slave property is entitled to no less protection than any other property; that the Constitution upholds it in every territory against any act of a local Legislature, and even against Congress itself; or, as the President for that term tersely promulgated the saying, "Kansas is as much a slave State as South Carolina or Georgia; slavery, by virtue of the Constitution, exists in every territory." *

I have thus hastily and imperfectly, but I hope suggestively and truthfully, traced the progress of the slave power in the republic, from the revolution, down.

At the close of the revolution, it was a feeble, tolerated, local institution. The moral sense and religious convictions, as well as the political sentiments, genius, principles of the republic were against it.

But slavery, having in an unfortunate moment, been tolerated by the framers of the Constitution, under the belief that it would be but a temporary evil, soon aspired to power and became the master of the Government. Conscious of its inherent weakness, it demanded additional territory for its expansion. First, Louisiana, then Florida, then the repeal of the Missouri restriction, that it might go North and West, as well as South; then Texas, then the war on Mexico for more territory. Up to the period of the Dred Scott decision, slavery had generally been successful upon all the issues made with freedom. It was now perfectly absolute on the

* Bancroft's oration on Lincoln, p. 13 and 14.

bench of the Supreme Court, as was painfully illustrated by the doctrines announced in the Dred Scott decision. It controlled the action of Congress. It directed who should be President; and no party had thus far succeeded, which placed in nomination any man openly hostile to it. The army and the Navy, with West Point and the Naval school for its nurseries, were its right and left hand to carry out its purposes. The control of the National treasure, collected and paid largely in the free States, was in the hands of slaveholders. The slaveholder held the purse and the sword; he ruled at the White House, in Congress, and on the bench of the Supreme Court; and represented the republic at home and abroad.

The fairest portion of the republic, with the richest soil and the most genial climate, had been blighted by its curse.

That portion of the Union where slavery existed, was comparatively poor, sparsely settled, with little thrift or comfort; with no manufactures, little commerce; very far behind the free States in culture, arts, and intelligence. Contrasted with the South, with its rich, natural advantages, was rocky, cold, bleak, barren New England. Under the influence of free labor, every valley blooming like a garden, her fields smiling with abundant harvests, every hill sheltering a thriving village, with every element of comfort; with commerce whitening every sea; with a skilled and intelligent labor which sends its manufactures to the uttermost parts of the earth.

Free labor produces this contrast, and everywhere the passing stranger reads in every object he sees, that liberty dwells among the hills and mountains of New England, while slavery blackens and desolates the sunny plains of the South. In the free States were to be found everywhere, the church, the school house, the comfortable home, the newspaper, the library, and everywhere domestic comfort, refinement, culture, the arts and taste; christian civilization in its highest forms. In the South were a few opulent families living in luxury and ease; families highly educated, refined, of great social attraction, while the great mass of the white people were ignorant, idle, and rude; with the great plantation, the slave-huts, squalor, ignorance, brutality. Slavery

everywhere, operating as a moral blight, reducing rapidly a once noble race into barbarism.

The effect of slavery in retarding the material prosperity of the country, may be strikingly illustrated by the census tables, and a comparison between the free and slave States. Taking, for illustration, New York and Virginia. By the census, the population of Virginia in 1790, was 748,308, and in 1860, 1,596,318, making the ratio of increase, 113, 32 per cent. In 1790, New York numbered 340,120, and in 1860, 3,880,735, the ratio of increase being 1,040,99. Thus the rate of increase in New York, exceeded that of Virginia, more than nine to one.

In 1790, the population of Virginia was largely more than double that of New York.* In 1860, the population of New York was very largely more than double that of Virginia.

In 1790, Virginia, in population, ranked first of all the States, and New York the fifth. In 1860, they had reversed their position, and New York was the first, and Virginia the fifth. At the same rate of progress, from 1860 to 1900, as from 1790 to 1860, Virginia retaining slavery, would have sunk from the first, to the twenty-first State, and would still continue at each succeeding decade, descending the inclined plane toward the lowest position of all the States.

Such has been, and still continues to be, the effect of slavery, in dragging down that once great State from the first, toward the last in rank in the Union. But if, as in the absence of slavery must have been the case, Virginia had increased from 1790 to 1860 in the same ratio as New York, her population in 1860 would have been 7,789,141, and she must always have remained the first in rank of all the States. The census proves that slavery greatly retards the increase of wealth.

By tables 33 and 36 of the census of 1860 it appears, omitting commere, that the products of industry, as given, viz.: of agriculture, manufactures, mines, and fisheries, were that year, in New York, $606,000,000, or $156 *per capita*, and in Virginia, 120,000,000, or $75 *per capita*. This shows a total value of product in New York, more than five times greater

* See preliminary Census Rep., p. 132.

than in Virginia, and *per capita*, more than two to one. Including the earnings of commerce and all business not given in the census, it will be shown that the value of the products and earnings of New York, in 1860, exceeded those of Virginia at least seven to one.*

The war taxes of the Republic may be very great, but the tax of slavery is far greater, and the relief from it, in a few years, will add much more to the National wealth than the whole deduction made by the war debt.

The population of the United States would have reached, in 1860, nearly 40,000,000, and our wealth have been more than doubled, if slavery had been extinguished in 1790; this is one of the revelations made by the census; whilst in science, in education, and National power, the advance would have been still more rapid, and the moral force of our example and success would have controlled for the benefit of mankind, the institutions of the world.

Having shown how much the material progress of Virginia has been retarded by slavery, let us now consider its effect upon her moral and intellectual development.

The number of newspapers and periodicals in New York, in 1860, was 542, of which, 365 were political, 56 religious, 63 literary, 58 miscellaneous; and the number of copies circulated in 1860, was 320,930,884.

The number in Virginia, was 139; of which 117 were political, 13 religious, 3 literary, 6 miscellaneous; and the number of copies circulated in 1860, was 26,772,568. Thus the annual circulation of the press in New York, was twelve times as great as that of Virginia.

The number of public schools in Virginia, in 1850, was 2,937, teachers 3,005, pupils 67,438, colleges, academies, etc., pupils 10,326, attending school during the year, as returned by families, 109,775; native white adults of the State who cannot read or write, 75,868.

Public libraries, 54; volumes, 88,462; value of churches, 2,902,220. By table 155, compendium of census, the per centage of native free population in Virginia, over 20 years of age

* Most of these calculations are taken from an able pamphlet of the Hon. *Robert J. Walker.*

who cannot read or write, is 19.90, and in New York, 1.87; in North Carolina, 30.34; in Maryland, 11.10; in Massachusetts, .32, or less than one-third of one per cent. In New England the per centage of native whites who cannot read or write is 0.42, or less than one-half of one per cent.; and in the Southern States 20.30, or 50 to 1, in favor of New England. But if we take the whole adult population of Virginia, including whites, free blacks and slaves, 42.05 per cent., or nearly one-half cannot read or write, and in North Carolina, more than one-half cannot read or write. We have seen by the above official tables of the census of 1850, that New York, compared with Virginia, had nearly ten times as many pupils at schools, colleges and academies, twenty times as many books in libraries, and largely more than seven times the value of churches; while the ratio of native white adults who cannot read or write, was more than 10 to 1, in Virginia, compared with New York. We have seen also, that in North Carolina, nearly one-third of the native white adults, and in Virginia, nearly one-fifth cannot read or write, and in New England, 1 in every 400; in New York, 1 in every 131; in the South and Southwest, 1 in every 42 of the native white adults. The comparison of other free and slave States would exhibit the same results.

Let us compare for a moment, the two great Western States, Illinois, a free State, and Missouri, until the rebellion, a slave holding State.

The Comparison will furnish just results in regard to the effects of slavery, for while Missouri has increased since 1810, in wealth and population, much more rapidly than any of the slave States, there are several free States whose relative advance has exceeded Illinois. The rapid growth of Missouri is owing to her immense area, her fertile soil, her mighty rivers (the Mississippi and Missouri,) her central and commanding position, and to the fact, that she had so small a number of slaves to the square mile, as well as to the free population.

The population of Illinois, in 1810, was 12,282, and in 1860, 1,711,951; the ratio of increase from 1810 to 1860, being 13,838.70. (Table, Census 1860.) The population of Mis-

souri, in 1810, was 20,845, and in 1860, 1,182,012; the ratio of increase from 1810 to 1860, being 5,570.48. (Ib.) The rank of Missouri, in 1810, was, 22, and of Illinois, 23. The rank of Missouri in 1860, was 8, and of Illinois, 4.

The area of Missouri is 67,380 square miles, being the 4th in rank, as to area, of all the States. The area of Illinois is 55,405 square miles, ranking the 10th. Missouri, then has 11,875 more square miles than Illinois. This excess is greater by 749 square miles than the aggregate area of Massachusetts, Delaware, and Rhode Island, containing in 1860, a population of 1,517,902. The population of Missouri per square mile in 1810, exceeded that of Illinois .08; but, in 1860, the population of Missouri per square mile, was 17.54, ranking the 22d, and that of Illinois, 30.90, ranking the 13th. Illinois, with her ratio to the square mile, and the area of Missouri, would have had in 1860, a population of 2,082,042; and Missouri, with her ratio and the area of Illinois, would have had in 1860, a population of 971,803, making a difference in favor of Illinois, of 1,110,239, instead of 529,939. The absolute increase of population of Illinois per square mile, from 1850 to 1860, was 15.54, and of Missouri, 7.43, Illinois, ranking the 6th, in this ratio, and Missouri, the 14th. These facts prove the vast advantages which Missouri possessed in her larger area, as compared with Illinois.

But Missouri, in 1810, we have seen, had nearly double the population of Illinois. Now, reversing their numbers in 1810, the ratio of increase of each remaining the same, the population of Illinois, in 1860, would have been 2,905,014, and of Missouri, 696,983. If we bring the greater area of Missouri as an element into this calculation, the population of Illinois in 1860, would have exceeded that of Missouri, more than two millions and a half.

By census table 36, the cash value of the farms of Illinois, in 1860, was $432,531,072, and of Missouri, $230,632,126, making a difference in favor of Illinois, of $201,898,946, which is the loss which Missouri has sustained by slavery in the single item of the value of her farm lands. Abolish slavery there, and the value of the farm lands of Missouri would soon equal those of Illinois, and augment the wealth

of the farmers of Missouri, over two hundred millions of dollars. But these farm lands of Missouri embrace only 19,984,809 acres, (table 36,) leaving unoccupied 23,138,391 acres. The difference between the value of the unoccupied lands of Missouri and Illinois, is six dollars per acre, at which rate the increased value of the unoccupied lands of Missouri, in the absence of slavery, is $148,830,346, Thus it appears, that the loss to Missouri, in the value of her lands, caused by slavery, is $340,729,292. If we add to this diminished value of town and city property in Missouri, from the same cause, the total loss in that State in the value of real estate, exceeds $400,000,000, which is nearly twenty times the value of her slaves.

By table 35, the increase in the value of real and personal property of Illinois, from 1850 to 1860, was $715,595,276, being 457.93 per cent, and Missouri, $363,966,691, being 265.18 per cent. At the same ratio of increase from 1860 to 1870, the total wealth of Illinois, would be $3,993,000,000, and of Missouri, $1,329,000,000, the difference being $2,664,-000,000, caused by slavery, which is more than twice the value of all the slaves in the Union, at the beginning of the slaveholder's war.

These comparisons could be extended to all the free, and lately slave States, with the same results.

Virginia was a considerable colony when Pennsylvania was occupied exclusively by Indian tribes.

In 1790, the population of Virginia exceeded that of Pennsylvania, 313,925, yet in 1860, Pennsylvania exceeded Virginia, 1,308,797. The ratio of increase in Virginia, being from 1790 to 1860, 113.32 per cent., and in Pennsylvania, during the same period, 569.03 per cent.

The effects of slavery upon morals and civilization will be strikingly illustrated by the barbarities and cruelties of the great civil war, upon a description of which I must soon enter. When it is remembered that there were nearly four millions of people among whom marriage had no legal existence, the family relation no legal recognition, where it was a penal offence to teach a negro child to read the Holy Bible; where the chastity of the colored woman was without

protection, where a negro could not be a witness in a court of Justice, the reflecting mind will be able to form a correct estimate of the moral condition of both blacks and whites growing out of this institution of slavery.

While idleness, ignorance, license, and the exercise of unrestrained, and irresponsible power growing out of slavery produced its legitimate effects, demoralization, licentiousness, and vice of all kinds, and rapidly reduced a noble race of men, capable of the sublime heroism, and self-denial of the Revolution, to that of a semi-barbarous condition, there were many exceptions, and localities, where the institution was patriarchal in its character, and where the high moral character of the masters, with leisure, means, and taste for intellectual culture, produced a high order of men.

There were localities at the South where existed the most attractive and charming illustrations of social culture and refinement. There were families who regarded their position as masters, as responsible trusts; who felt themselves responsible to God for the moral and physical well-being of their dependants. There were to be found many philanthropists and noble women in the slave States, who devoted themselves to the moral culture and well-being of their servants, with a philanthropy as devoted and self-sacrificing as any that sent the missionary to christianize heathen in foreign lands.

There also, were very many specimens of that genial hospitality, that kindness, grace, and refinement, which gave to social life, at the South, its proverbial charm.

But these were becoming more and more exceptional, as the degeneracy, and profligacy, resulting from slavery extended.

It is not in human nature to be born, reared, and live with a race, over which is exercised, unrestricted, irresponsible power, subsisting upon its unrequited toil, pampered by idleness, and license, without moral degradation.

Especially did slavery unfit the people of the South for the administration of Republican Government. It undermined the purity, simplicity and virtue which must ever be the basis of a successful Republic.

The slaveholders, as a class, were tyrants, and loving to exercise power themselves, disregarded the rights of others, and the restraints of law. As a class, the slaveholders would gladly have changed the Government to that of an aristocracy or monarchy, so that it would have secured slavery. They verified the truth stated by Mr. Lincoln in his letter, dated April, 1859, to the republicans of Boston, who celebrated Jefferson's birth-day. He said:

> This is a world of compensation, and he who would *be* no slave, must consent to *have* no slave. Those who deny freedom to others, deserve it not for themselves, and under a just God, cannot long retain it.

The degeneracy of the slaveholders, was exhibited but too often and too sadly, during the war. As a class, with many honorable exceptions, they were cruel, treacherous, and barbarous.

Now that slavery is extinct, the true manhood of the South will again arise, and regain its former position; we shall again see worthy successors of Washington, Madison, and Jefferson, in Virginia, and the South, who will arise and help to rear, shape, and preserve that vast Continental Republic of justice, intelligence and virtue, which is now to arise.

But it is time to return to the sketch of that universal agitation of the slavery question which produced the slaveholder's rebellion, and in which this institution was to die, as the result of the war brought on by itself, and by which it sought to strengthen and perpetuate its power.

CHAPTER V.

LINCOLN FROM 1857 TO 1860 — THE LINCOLN AND DOUGLAS DEBATES.

LINCOLN'S NOMINATION FOR THE SENATE — HIS SPRINGFIELD SPEECH — HE CHALLENGES DOUGLAS TO JOINT DISCUSSION — DOUGLAS ACCEPTS — THE DEBATE — THE MEETING AT FREEPORT — SPEECH AT COLUMBUS — AT CINCINNATI — AT COOPER INSTITUTE — THE "RAIL-SPLITTER."

PERHAPS, the man to whom Abraham Lincoln was more indebted for his greatness and his fame, than any other, was his great political rival, Stephen A. Douglas. Mr. Lincoln said, on one occasion, in 1856, of Mr. Douglas, "Twenty-two years ago, Judge Douglas and I, first became acquainted; we were both young then — he a trifle younger than I. Even then we were both ambitious, I, perhaps, quite as much as he. With me, the race of ambition has been a failure — a flat failure. With him, it has been one of splendid success. His name fills the Nation, and it is not unknown in foreign lands. I affect no contempt for the high eminence he has reached; so reached that the oppressed of my species might have shared with me in the elevation, I would rather stand on that eminence, than wear the richest crown that ever pressed a monarch's brow." These great men, alike self-made, self-educated, coming early in life to Illinois, soon became leaders, each of his party. Lincoln had contended for supremacy, in generous emulation with Hardin, Baker, Browning, Logan, and Trumbull. Douglas had had keen rivals in Breese, Shields, Young, McClernand, and others; but in 1857, each was confessedly the leader of his party in Illinois. No two men were ever more unlike. Physically and mentally, they were contrasts. Lincoln was the real,

literal, physical giant; Douglas was "the Little Giant," in person, but a *real* giant in intellect, as has already been stated. Douglas was bold, unflinching, impetuous, denunciatory, and determined; possessing in an eminent degree, those qualities which create personal popularity; and he was ever the idol of his friends. His iron will, indomitable energy, firm faith in himself and his cause, united with frank, genial, magnetic manners; familiar, accessible and generous, made him altogether one of the strongest men in the Nation. These two men, as has been stated, were members of the Illinois Legislature together, as early as 1836.

Douglas had distinguished himself as an able debater and controversialist in Illinois, in the House of Representatives, and in the Senate of the United States. His position on the slavery question had not been consistent. He had voted for the Wilmot proviso, and to extend the Missouri compromise line across Texas. He finally settled down upon the position of "popular sovereignty," or "squatter sovereignty" as it was called; that is, that the people of each territory should settle the slavery question for themselves. It being, as he declared, his true intent and meaning, "not to legislate slavery into any State or territory, nor to exclude it therefrom, but to leave the people thereof, perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." As already stated, he had reported and carried through Congress, the bill to repeal the Missouri Compromise. When Mr. Buchanan's administration became a party to the conspiracy to force Kansas to become a slave State, Douglas was faithful to this principle, and defended the right of the people to decide freely and fairly the question for themselves. This brought him in collision with Buchanan and the slave power, and the slave leaders in the Senate sought to degrade him, by removing him from the Chairmanship of the Committee on Territories. He aided effectually in defeating the scheme to force a pro-slavery Constitution upon Kansas.

His Senatorial term was drawing near its close, and in July, 1858, he came home to enter upon the canvass for reëlection. In June, 1858, the Republican State Convention

met at Springfield, and nominated, with perfect unanimity, and amidst the greatest enthusiasm, Abraham Lincoln, as their candidate for the Senate. The speech which Mr. Lincoln made on that occasion, brief as it is, is one of the most remarkable in American History. He gave so clear an exposition of the antagonism, and the "*irrepressible conflict*" between liberty and slavery, that his words immediately seized the attention of the whole Nation, and became historical. Up to that time his position on the slavery question had not entirely satisfied the radical anti-slavery men of Northern Illinois. But when that philosophic speech was pronounced, one of the most radical men present exclaimed, "Lincoln is right in principle, if he is not quite up to us in details;" the man who plants himself on a great principle, will soon be right on all details. Governor Seward, afterwards, at Rochester, New York, October 25th, 1858, expressed the same idea, in words which have also become memorable. "It is," said he, "an *irrepressible conflict* between opposing and enduring forces, and it means that the United States will sooner or later become either an entirely slaveholding Nation, or an entirely free labor Nation." The speech of Mr. Lincoln is the text of the great debate between himself and Douglas, and its importance demands its insertion:

MR. PRESIDENT, AND GENTLEMEN OF THE CONVENTION: If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year, since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease, until a crisis shall have been reached and passed. "A house divided against itself cannot stand." I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South.

Have we no tendency to the latter condition?

Let any one who doubts, carefully contemplate that now almost complete legal combination—piece of machinery, so to speak—compounded of the Nebraska doctrine, and the Dred Scott decision. Let him consider not only what work the machinery is adapted to do, and how well adapted; but also let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidences of design, and concert of action, among its chief architects, from the beginning.

The new year of 1854 found slavery excluded from more than half the States by State Constitutions, and from most of the National territory by Congressional prohibition. Four days later, commenced the struggle which ended in repealing that Congressional prohibition. This opened all the National territory to slavery, and was the first point gained.

But, so far, Congress only had acted; and an indorsement by the people, real or apparent, was indispensable, to save the point already gained, and give chance for more.

This necessity had not been overlooked; but had been provided for, as well as might be, in the notable argument of "squatter sovereignty," otherwise called "sacred right of self-government," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That if any *one* man choose to enslave *another*, no *third* man shall be allowed to object. That argument was incorporated into the Nebraska bill itself, in the language which follows: "It being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States" Then opened the roar of loose declamation in favor of "Squatter Sovereignty," and "sacred right of self-government." "But," said opposition members, "let us amend the bill so as to expressly declare that the people of the Territory may exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

While the Nebraska bill was passing through Congress, a *law case* involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free State and then into a free Territory covered by the Congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the District of Missouri; and both Nebraska bill and law suit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally made in the case. Before the then next Presidential election, the law case came to, and was argued in the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requested the leading advocate of the Nebraska bill to state *his opinion* whether the people of a Territory can Constitutionally exclude slavery from their limits; and the latter answers: "That is a question for the Supreme Court."

The election came. Mr. Buchanan was elected, and the endorsement, such as it was, secured. That was the second point gained. The indorsement, however, fell short of a clear popular majority by nearly four hundred thousand votes, and so, perhaps was not overwhelmingly reliable and satisfactory. The outgoing President, in his last annual message, as impressively as possible echoed back upon the people the weight and authority of the indorsement. The Supreme Court met again; did not announce their decision, but ordered a re-argument. The Presidential inauguration came, and still no decision of the court; but the incoming President in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, whatever it might be. Then in a few days, came the decision.

The reputed author of the Nebraska bill finds an early occasion to make a speech at this capital indorsing the Dred Scott decision, and vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Sillman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained!

At length a squabble springs up between the President and the author of the Nebraska bill, on the mere question of *fact*, whether the Lecompton Constitution was or was not, in any just sense, made by the people of Kansas; and in that quarrel the latter delares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted *down* or voted *up*. I do not understand his declaration that he cares not whether slavery be voted down or voted up, to be intended by him other than as an apt definition of the policy he would impress upon the public mind—the principle for which he declares he has suffered so much, and is ready to suffer to the end. And well may he cling to that principle. If he

has any parental feeling, well may he cling to it. That principle is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision, "squatter sovereignty" squatted out of existence, tumbled down like temporary scaffolding—like the mould at the foundry, it served through one blast and fell back into loose sand—helped to carry an election, and then was kicked to the winds. His late joint struggle with the republicans, against the Lecompton Constitution, involves nothing of the original Nebraska doctrine. That struggle was made on a point—the right of the people to make their own Constitution—upon which he and the republicans have never differed.

The several points of the Dred Scott decision, in connection with Senator Douglas' "care not" policy, constitute the piece of machinery, in its present state of advancement. This was the third point gained. The working points of that machinery are:

First, That no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States. This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares "That citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

Secondly, That "subject to the Constitution of the United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States territory. This point is made in order that individual men may fill up the Territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

Thirdly, That whether the holding a negro in actual slavery, in a free State, makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for awhile, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott, in the free State of Illinois, every other master may lawfully do with any other one, or one thousand slaves, in Illinois, or in any other free State.

Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mould public opinion, at least Northern public opinion, not to care whether slavery is voted down or voted up. This shows exactly where we now are; and partially, also, whither we are tending.

It will throw additional light on the latter, to go back, and run the mind over the string of historical facts already stated. Several things will now appear less dark and mysterious than they did when they were transpiring. The people were to be left "perfectly free," "subject only to the Constitution." What the Constitution had to do with it, outsiders could not then see. Plainly enough now, it was an exactly fitted niche, for the Dred Scott decision to afterwards come in, and declare the perfect freedom of the people, to be just no freedom at all. Why was the amendment expressly declaring the right of the people, voted down? Plainly enough now: the adoption of it would have spoiled the niche for the Dred Scott decision. Why was the court decision held up? Why even a Senator's individual opinion withheld, till after the Presidential election? Plainly enough now: the speaking out then would have damaged the perfectly free argument upon which the election was to be carried. Why the outgoing President's felicitation on the indorsement? Why the delay of a re-argument? Why the incoming President's advance exhortation in favor of the decision? These things look like the cautious patting and petting of a spirited horse preparatory to mounting him, when it is dreaded that he may give the rider a fall. And why the hasty after-indorsement of the decision by the President and others?

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen—Stephen, Franklin, Roger, and James, for instance*—and when we see these timbers joined together, and see they exactly make the frame of a house or a mill,

*Stephen A. Douglas, Franklin Pierce, Roger B. Taney, and James Buchanan.

all the tenons and mortices exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few—not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case, we find it impossible not to believe that Stephen, and Franklin, and Roger, and James, all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck.

It should not be overlooked that, by the Nebraska bill, the people of a *State* as well as Territory, were to be left "perfectly free," "subject only to the Constitution." Why mention a State? They were legislating for Territories, and not for or about States. Certainly the people of a State are and ought to be subject to the Constitution of the United States; but why is mention of this, lugged into this merely Territorial law? Why are the people of a Territory and the people of a State therein lumped together, and their relation to the Constitution therein treated as being precisely the same? While the opinion of the court, by Chief Justice Taney, in the Dred Scott case, and the separate opinions of all the concurring Judges, expressly declare that the Constitution of the United States neither permits Congress nor a Territorial Legislature to exclude slavery from any United States Territory, they all omit to declare whether or not the same Constitution permits a State, or the people of a State, to exclude it. *Possibly*, this is a mere omission; but who can be quite sure, if Mr. McLean or Curtis had sought to get into the opinion a declaration of unlimited power in the people of a State to exclude slavery from their limits, just as Chase and Mace sought to get such declaration, in behalf of the people of a Territory, into the Nebraska bill;—I ask who can be quite sure that it would not have been voted down in the one case as it had been in the other? The nearest approach to the point of declaring the power of a State over slavery, is made by Judge Nelson. He approaches it more than once, using the precise idea, and almost the language, too, of the Nebraska act. On one occasion, his exact language is, "except in cases where the power is restrained by the Constitution of the United States, the law of the State is supreme over the subject of slavery within its jurisdiction." In what cases the power of the States is so restrained by the United States Constitution, is left an open question, precisely as the same question, as to the restraint on the power of the Territories, was left open in the Nebraska act. Put this and that together, and we have another nice little niche, which we may, ere long, see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a *State* to exclude slavery from its limits. And this may especially be expected if the doctrine of "care not whether slavery be voted down or voted up," shall gain upon the public mind sufficiently to give promise that such a decision can be maintained when made.

Such a decision is all that slavery now lacks of being alike lawful in all the States. Welcome, or unwelcome, such decision is probably coming, and will soon be upon us, unless the power of the present political dynasty shall be met and overthrown. We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their State free, and we shall awake to the reality instead, that the Supreme Court has made Illinois a slave State. To meet and overthrow the power of that dynasty, is the work now before all those who would prevent that consummation. That is what we have to do. How can we best do it?

There are those who denounce us openly to their own friends, and yet whisper to us softly, that Senator Douglas is the aptest instrument there is with which to effect that object. They wish us to *infer* all, from the fact that he now has a little quarrel with the present head of the dynasty; and that he has regularly voted with us on a single point, upon which he and we have never differed. They remind us that he is a great man, and that the largest of us are very small ones. Let this be granted. But "a living dog is better than a dead lion." Judge Douglas, if not a dead lion for this work, is at least a caged and toothless one. How can he oppose the advances of slavery? He don't care anything about it. His avowed mission is impressing the "public heart" to *care nothing about it.* A leading Douglas democratic newspaper thinks Douglas' superior talent will be needed to resist the revival of the African slave trade. Does Douglas believe an effort to revive that trade is approaching? He has not said so. Does he really think so? But if it is, how can he

resist it? For years he has labored to prove it a sacred right of white men to take negro slaves into the new Territories. Can he possibly show that it is less a sacred right to buy them where they can be bought cheapest? And unquestionably they can be bought cheaper in Africa than in Virginia. He has done all in his power to reduce the whole question of slavery to one of a mere right of property; and as such, how can he oppose the foreign slave trade—how can he refuse that trade in that "property" shall be "perfectly free"—unless he does it as a protection to the home production? And as the home producers will probably not ask the protection, he will be wholly without a ground of opposition.

Senator Douglas holds, we know, that a man may rightfully be wiser to-day than he was yesterday—that he may rightfully change when he finds himself wrong. But can we, for that reason, run ahead, and infer that he will make any particular change, of which he, himself, has given no intimation? Can we safely base our action upon any such vague inference? Now, as ever, I wish not to misrepresent Judge Douglas' position, question his motives, or do aught that can be personally offensive to him. Whenever, if ever, he and we can come together on principle so that our cause may have assistance from his great ability, I hope to have interposed no adventitious obstacle. But clearly, he is not now with us—he does not pretend to be—he does not promise ever to be.

Our cause, then, must be intrusted to, and conducted by, its own undoubted friends—those whose hands are free, whose hearts are in the work—who *do care* for the result. Two years ago the republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, and even hostile elements, we gathered from the four winds, and formed and fought the battle through, under the constant hot fire of a disciplined, proud and pampered enemy. Did we brave all then, to falter now?—now, when that same enemy is wavering, dissevered and belligerent? The result is not doubtful. We shall not fail—if we stand firm, we *shall not fail*. Wise counsels may accelerate, or mistakes delay it, but, sooner or later, the victory is sure to come.

There is a tone of solemnity and deep apprehension in this speech of Lincoln. After describing in words so clear and simple that none could misunderstand, the conspiracy to extend slavery to all the States, he says: "We shall lie down, pleasantly dreaming that the people of Missouri are on the eve of making that a free State, and we shall awake to the reality instead, that the Supreme Court has made Illinois a slave State. To meet and overthrow the power of that dynasty, is the work of all who would prevent that consummation. This is what we have to do."

To this work his life was henceforth devoted. He brought to the tremendous struggle, physical strength and endurance almost superhuman; an intellect trained to present and discuss political questions to the comprehension of the American mind, and with a success never equaled by any other American orator or statesman.

In allusion to the disposition manifested outside of Illinois, and especially by the New York *Tribune*, to sustain Douglas, he said, "our cause must be entrusted to, and conducted by, its

own undoubted friends; those whose hands are free, and whose hearts are in the work. We '*do care*' for the result, alluding to Douglas' statement, that he "did not care whether slavery was voted up or voted down."

He concludes in the language of hopeful prophesy. "We shall not fail, wise counsels may accelerate or mistakes delay it, but sooner or later, *victory is sure to come.*"

Such was the high philosophic appreciation by Lincoln, of the conflict then pending before the American people. The first battle was to be the intellectual combat between him and Senator Douglas; a contest made in the watchful, anxious view of all the people of the Union. Liberty against slavery was the clearly defined issue. The Senatorial debate between Webster and Hayne, is historical; *that* involved questions of Constitutional construction, State rights, and theories of Government.

The contest between Lincoln and Douglas involved the triumph of freedom in Kansas, and in the Union. It was not a single debate, but extended through a whole campaign. The great political parties throughout the country, paused to watch its progress, and looked with eager solicitude upon every movement of the champions.

Mr. Douglas arrived at Chicago, from Washington, on the 9th of July, and was recieved with the most enthusiastic demonstrations by his friends. He addressed himself to reply to Mr. Lincoln's Springfield speech. Lincoln was present and heard the speech of Douglas, and replied to it the evening afterward. On the 16th of July, Mr. Douglas spoke at Bloomington, and Mr. Lincoln was present. Douglas again addressed the people at Springfield, on the 17th of July, to which Mr. Lincoln replied in the evening. Thereupon Mr. Lincoln addressed to Mr. Douglas the following note, challenging him to the joint debate:

CHICAGO, July 24th, 1858.

Hon. S. A. DOUGLAS,

My Dear Sir: Will it be agreeable to you to make an arrangement to divide time, and address the same audience, during the present canvass? etc. Mr. Judd is authorized to receive your answer, and if agreeable to you, to enter into the terms of such agreement, etc.

Your ob't serv't,

A. LINCOLN.

The challenge was accepted, and it was arranged that there should be seven joint debates; each champion alternately opening and closing the discussion; the opening speech to occupy one hour, the reply one hour and a half, and the close a half hour, so that each debate should occupy three hours. They were to speak at Ottawa, August 21st; Freeport, August 27th; Jonesboro, September 15th; Charleston, September 18th; Galesburg, October 7th; Quincy, October 13th; Alton, October 15th. These debates, held in different sections of the State, and in the open air, called together vast crowds of people. There was every motive to stimulate the champions to the exertion of their utmost power. Each entertained a sincere conviction that in the principles he advocated was involved the safety, and perhaps the life of the Republic. The debates, with one exception, were conducted with the dignity and courtesy which were becoming the occasion.

The Senatorship was the immediate personal prize for the victor, and in the future, the Presidency, for which Douglas had been long an aspirant. They discussed all the great political questions of the day, but each felt instinctively, that the vital question, the question of questions, was slavery. The question of slavery in the territories, the Dred Scott decision, the fugitive slave law, the opinions of the Fathers, above all the meaning of the Declaration of Independence enumerating the inalienable rights of man, were the topics of discussion. Douglas went through this canvass with the manner and bearing of a conquering hero. There was something grand, exciting, and magnetic, in the boldness with which he threw himself into the discussion, and dealt his blows right and left against the republican party on one side, and the administration of Buchanan, which sought his defeat, on the other. Buchanan sought, by the use of Executive patronage and power, to defeat Douglas. He succeeded in seducing a few, but the mass of the party stood firmly by the Senator. Douglas and his friends were most liberal in their expenditures. He had his special trains of cars, his bands of music, his processions with banners and cannon, and all the paraphernalia of a great leader. Lincoln, on the contrary, conducted the canvass in a

plain, simple, frugal unostentatious manner. Some idea of the simplicity of the man and his manners, may be gathered from a remark he made at the close of the debates, in which he said to a friend, "I don't believe I have expended in this canvass one cent less than five hundred dollars in cash."

Senator Douglas was at this time, undoubtedly the leading debater in the United States Senate. For years he had been accustomed to meet the trained leaders of the Nation in Congress; and never, either in single combat, or receiving the fire of a whole party, had he been discomfited. His style was bold, defiant, aggressive, vigorous. He was fertile in resources, terrible in denunciation, familiar with political history, and handled with readiness and facility all the controversial weapons of debate; of indomitable physical and moral courage, and unquestionably the most formidable man in the Nation on the stump. The friends of Lincoln were not without anxiety when the challenge for a campaign on the stump was given and accepted. Lincoln was candid, cool, truthful, logical, philosophical; never betrayed into an unfair statement. The criticism upon him as a lawyer, was verified and illustrated in these debates. "On the right side of a case, Lincoln is an overwhelming giant, on the wrong side, his sense of justice and right, makes him weak." Douglas' ardor always made him, for the time, believe that the side he adopted was right. Lincoln argued the side of freedom with the most profound conviction that its triumph was necessary to the existence of his country. It was wonderful, how strongly in these discussions, as in all the acts of his public life, he impressed the people with his fairness, honesty, and truthfulness; every hearer in the vast crowds which thronged to these discussions, whatever his political views, went away with the conviction, "Lincoln believes what he says, he is candid, he would not mistate a fact, or take an unfair advantage to secure a triumph."

He had one advantage over Douglas, he was always good-humored; he had always an apt and happy story for illustration, and while Douglas was sometimes irritable, Lincoln never lost his temper. Douglas carried away the most popular applause, but Lincoln made the deeper and more lasting

impression. Douglas did not disdain an immediate, *ad captandum* triumph, while Lincoln aimed at permanent conviction. Douglas addressed prejudice, and especially the prejudice against the negro, with an adroitness and power never surpassed.

Lincoln stated his propositions, and sustained them with the fullest historical knowledge and illustration, and with irresistible logic. Douglas, owing to the favorable and unfair apportionment of the Senators and Representatives in the State Legislature, secured a majority, and obtained the Senatorship; although a majority of the popular vote was recorded against him. These debates made Douglas, Senator, and Lincoln, President.

At the close of these debates, and of the canvass, the champions visited the city of Chicago, at about the same time. Lincoln was in perfect health, his face bronzed by the prairie suns, but looking and moving like a trained athlete. His voice was clearer, stronger, and better than when he began the canvass. Douglas was physically much broken. He was so hoarse that he could scarcely articulate, and was entirely unintelligible in an ordinary tone. Few men living could have gone through these open air discussions without breaking down, and few could have recovered from them so soon. Douglas' speedy recovery exhibited his wonderful vigor and elasticity.

The most prominent feature of Mr. Lincoln's speeches in this canvass is his constant reference to the Declaration of Independence. Mr. Douglas knew that in Illinois, at that time, there was a deep seated, nearly universal prejudice against the negro. He sought continually to use that prejudice against Mr. Lincoln; sometimes most unfairly misrepresenting him to be in favor of social, as well as political equality, between the races.

The points made by Lincoln in these debates, were:

First, That the country could not permanently endure, half slave and half free, and that slavery was wrong in itself.

Second, He attacked the popular sovereignty doctrine of Douglas. His clear, simple statement of it, was its crushing

refutation. He said it meant simply, "if one man choose to enslave another, no third man shall be allowed to object."

Third, He announced and endeavored to prove the existence of a conspiracy to perpetuate and nationalize slavery, and that the Kansas-Nebraska bill, and Dred Scott decisions, were essential parts of this scheme.

The point to which he most often recurred, was the defense of the Declaration of Independence, establishing as the very basis of our government, the inalienable rights of man; planting himself on the great principles of the Declaration, which received alike the homage of his heart and the sanction of his intellect. This devotion to the grand idea of man's liberty and equality is the key note of the debate.

In his speech at Chicago, July 10th, 1858, in reply to Douglas, for the purpose of showing that all men were included in the "Declaration of Independence," he says:

We have besides these men descended by blood from our ancestors—among us, perhaps half our people, who are not descendants at all of these men; they are men who have come from Europe, German, Irish, French, and Scandinavian—men that have come from Europe themselves, or whose ancestors have come hither and settled here, finding themselves our equals in all things. If they look back through this history to trace their connection with those days by blood, they find they have none, they cannot carry themselves back into that glorious epoch and make themselves feel that they are part of us; that when they look through that old Declaration of Independence, they find that those old men say that, "We hold these truths to be self-evident, that all men are created equal," and then they feel that that moral sentiment taught in that day, evidences their relation to those men;—that it is the father of all moral principle in them, and they have a right to claim it as though they were blood of the blood, and flesh of the flesh, of the men who wrote that Declaration, and so they are. That is the electric cord in that Declaration that links the hearts of patriotic and liberty-loving men together, that will link those patriotic hearts as long as the love of freedom exists in the minds of men throughout the world.

Again he said at Springfield, July 17th, 1858, in reply to Douglas:

I adhere to the Declaration of Independence. If Judge Douglas and his friends are not willing to stand by it, let them come up and amend it. Let them make it read that all men are created equal, except negroes. Let us have it decided, whether the Declaration of Independence, in this blessed year of 1858, shall be thus amended. In his construction of the Declaration last year, he said it only meant that Americans in America, were equal to Englishmen in England. Then when I pointed out to him that by that rule he excludes the Germans, the Irish, the Portuguese, and all the other people who have come amongst us since the Revolution, he reconstructs his construction. In his last speech he tells us it meant Europeans. I press him a little further, and ask if it meant to include the Russians in Asia? or does he mean to exclude that vast population from the principles of the Declaration of Independence? I expect ere long he will introduce another amendment to his definition. He is

not at all particular. He is satisfied with anything which does not endanger the nationalizing of negro slavery. It may draw white men down, but it must not lift negroes up. Who shall say, "I am the superior, and you are the inferior?"

My declarations upon this subject of negro slavery may be misrepresented, but cannot be misunderstood. I have said that I do not understand the Declaration to mean that all men were created equal in all respects. They are not our equal in color; but I suppose that it does mean to declare that all men are equal in some respects; they are equal in their right to "life, liberty, and the pursuit of happiness."

Certainly the negro is not our equal in color—perhaps not in many other respects; still, in the right to put into his mouth the bread that his own hands have earned, he is the equal of every other man, white or black. In pointing out that more has been given you, you cannot be justified in taking away the little which has been given him. All I ask for the negro is, that if you do not like him, let him alone. If God gave him but little, that little let him enjoy.

Again in August, at Ottawa, he said:

I hold that there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independence, the right to life, liberty and the pursuit of happiness. I hold that he is as much entitled to these as the white man. I agree with Judge Douglas, he is not my equal in many respects—certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without the leave of anybody else, which his own hand earns, he is my equal and the equal of Judge Douglas, and the equal of every living man.

At Galesburg, October, 1858, he said:

The Judge has alluded to the Declaration of Independence, and insisted that negroes are not included in that Declaration; and that it is a slander upon the framers of that instrument, to suppose that negroes were meant therein; and he asks you: "Is it possible to believe that Mr. Jefferson, who penned the immortal paper, could have supposed himself applying the language of that instrument to the negro race, and yet held a portion of that race in slavery? Would he not at once have freed them?" I only have to remark upon this part of the Judge's speech, and that briefly, that I believe the entire records of the world, from the date of the Declaration of Independence up to within three years ago, may be searched in vain for one single affirmation, from one single man, that the negro was not included in the Declaration of Independence; I think I may defy Judge Douglas to show that he ever said so, that Washington ever said so, that any President ever said so, that any member of Congress ever said so, or that any living man upon the whole earth ever said so, until the necessities of the present policy of the Democratic party, in regard to slavery, had to invent that affirmation. And I will remind Judge Douglas and this audience, that while Mr. Jefferson was the owner of slaves, as undoubtedly he was, in speaking upon this very subject, he used the strong language that "he trembled for his country when he remembered that God was just;" and I will offer the highest premium in my power to Judge Douglas if he will show that he, in all his life, ever uttered a sentiment at all akin to that of Jefferson.

I have said once before, and I will repeat it now, that Mr. Clay, when he was once answering an objection to the Colonization Society, that it had a tendency to the ultimate emancipation of the slaves, said that "those who would repress all tendencies to liberty and ultimate emancipation must do more than put down the benevolent efforts of the Colonization Society—they must go back to the era of our liberty and independence, and muzzle the cannon that thunders its annual joyous return—they must blot out the moral lights around us—they must penetrate the human soul, and eradicate the light of reason and the love of liberty!" and I do think—I repeat, though I said it on a former occasion—that Judge Douglas, and

whoever like him teaches that the negro has no share, humble though it may be, in the Declaration of Independence, is going back to the era of our liberty and independence, and, so far as in him lies, muzzling the cannon that thunders its annual joyous return; that he is blowing out the moral lights around us, when he contends that whoever wants slaves has a right to hold them; that he is penetrating, so far as lies in his power, the human soul, and eradicating the light of reason and the love of liberty, when he is in every possible way preparing the public mind, by his vast influence for making the institution of slavery perpetual and national.

At Alton, October 15th, 1858, he said:

At Galesburg the other day, I said in answer to Judge Douglas, that three years ago there never had been a man, so far as I knew or believed, in the whole world, who had said that the Declaration of Independence did not include negroes in the term "all men." I reassert it to-day. I assert that Judge Douglas, and all his friends, may search the whole records of the country, and it will be a matter of great astonishment to me if they shall be able to find that one human being three years ago, had ever uttered the astounding sentiment that the term "all men" in the Declaration did not include the negro. Do not let me be misunderstood. I know that more than three years ago, there were men who, finding this assertion constantly in the way of their schemes to bring about the ascendency and perpetuation of slavery, *denied the truth of it.* I know that Mr. Calhoun, and all the politicians of his school, denied the truth of the Declaration. I know that it ran along in the mouth of some Southern men for a period of years, ending at last in that shameful though rather forcible declaration of Pettit, of Indiana, upon the floor of the United States Senate, that the Declaration of Independence was in that respect "a self-evident lie," rather than a self-evident truth. But I say, with a perfect knowledge of all this hawking at the Declaration without directly attacking it, that three years ago, there never had lived a man who had ventured to assail it in the sneaking way of pretending to believe it, and then asserting it did not include the negro. I believe the first man who ever said it, was Chief Justice Taney, in the Dred Scott case, and the next to him was our friend, Stephen A. Douglas. And now it has become the catch-word of the entire party. I would like to call upon his friends everywhere, to consider how they have come in so short a time to view this matter in a way so entirely different from their former belief? — to ask whether they are not being borne along by an irresistible current — whither, they know not?

But, perhaps, the noblest and sublimest utterance in all these protracted debates, were the words he uttered at Alton, "Is slavery wrong?"

That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles — right and wrong — throughout the world. They are two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity, and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, "You work, and toil, and earn bread, and I'll eat it." No matter in what shape it comes, whether from the mouth of a King who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle.

It required some nerve in Lincoln, in a State where the prejudice against the negro was so strong that the people

would neither let him vote nor testify, nor serve on a jury, to stand up and proclaim the right of the negro to all the rights in the Declaration of Independence. Mr. Lincoln stated, "that up to the repeal of the Missouri Compromise, he had lived in the hope that slavery was in the course of ultimate extinction:"

The adoption of the Constitution and its attendant history led the people to believe so; and that such was the belief of the framers of the Constitution itself. Why did those old men, about the time of the adoption of the Constitution, decree that slavery should not go into the new territory, where it had not already gone? Why declare that within twenty years the African slave trade, by which slaves are supplied, might be cut off by Congress? Why were all these acts? I might enumerate more of these acts—but enough. What were they but a clear indication that the framers of the Constitution intended and expected the ultimate extinction of that institution? And now, when I say, as I said in my speech that Judge Douglas has quoted from, when I say that I think the opponents of slavery will resist the farther spread of it, and place it where the public mind shall rest with the belief that it is in course of ultimate extinction, I only mean to say, that they will place it where the founders of this Government originally placed it.

He thus describes his appreciation of the momentous issue:

I do not claim, gentlemen, to be unselfish; I do not pretend that I would not like to go to the United States Senate; I make no such hypocritical pretence; but I do say to you that in this mighty issue, it is nothing to the mass of the people of the Nation, whether or not Judge Douglas or myself shall ever be heard of, after this night; it may be a trifle to either of us, but in connection with this mighty question, upon which hang the destinies of the Nation, perhaps, it is absolutely nothing.

Judge Douglas, in the speech at Bloomington, July 16th, 1858, indicated the style in which he desired to conduct the debate:

The Republican Convention, when it assembled at Springfield, did me and the country the honor of indicating the man who was to be their standard-bearer, and the embodiment of their principles, in this State. I owe them my gratitude for thus making up a direct issue between Mr. Lincoln and myself. I shall have no controversies of a personal character with Mr. Lincoln. I have known him well for a quarter of a century. I have known him, as you all know him, a kind-hearted, amiable gentleman, a right good fellow, a worthy citizen, of eminent ability as a lawyer, and I have no doubt, sufficient ability to make a good Senator. The question, then, for you to decide is, whether his principles are more in accordance with the genius of our free institutions, the peace and harmony of the Republic, than those which I advocate. He tells you, in his speech made at Springfield, before the convention which gave him his unanimous nomination, that:

"A house divided against itself cannot stand." "I believe this Government cannot endure permanently, half slave and half free." "I do not expect the Union to be dissolved—I don't expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other."

Mr. Lincoln in his speech at Quincy, indicated the gravity of the great drama:

He, Douglas, said, too, "that he should not concern himself with Trumbull any more, but thereafter he should hold Lincoln responsible for the slanders upon him." When I met him at Charleston after that, although I think that I should not have noticed the subject if he had not said he would hold me responsible for it, I spread out before him the statements of the evidence that Judge Trumbull had used, and I asked Judge Douglas, piece by piece, to put his finger upon one piece of all that evidence that he would say was a forgery! When I went through with each and every piece, Judge Douglas did not *dare* then to say that any piece of it was a forgery. So it seems that there are some things that Judge Douglas dares to do, and some that he dares not to do.

A voice—"It's the same thing with you."

Mr. Lincoln—Yes, sir, it's the same thing with me. I do dare to say "forgery," when it's true, and I don't dare to say "forgery," when it's false. Now, I will say here, to this audience, and to Judge Douglas, I have not dared to say he committed a forgery, and I never shall until I know it; but I did dare to say—just to suggest to the Judge—that a forgery had been committed, which by his own showing, had been traced to him and two of his friends. I dared to suggest to him that he had expressly promised in one of his public speeches to investigate that matter, and I dared to suggest to him that there was an implied promise that when he investigated it he would make known the result. I dared to suggest to the Judge that he could not expect to be quite clear of suspicion of that fraud, for since the time that promise was made, he had been with those friends, and had not kept his promise in regard to the investigation and the report upon it. I am not a very daring man, but I dared that much, Judge, and I am not much scared about it yet. When the Judge says he would' nt have believed of Abraham Lincoln that he would have made such an attempt as that, he reminds me of the fact that he entered upon this canvass with the purpose to treat me courteously; that touched me somewhat. It sets me to thinking.

I was aware, when it was first agreed that Judge Douglas and I were to have these seven joint discussions, that they were the successive acts of a drama—perhaps I should say, to be enacted not merely in the face of audiences like this, but in the face of the nation, and to some extent, by my relation to him, and not from anything in myself, in the face of the world; and I am anxious that they should be conducted with dignity and in good temper, which would be befiting the vast audience before which it was conducted.

But when Judge Douglas got home from Washington and made his first speech in Chicago, the evening afterward I made some sort of a reply to it. His second speech was made at Bloomington, in which he commented upon my speech at Chicago, and said that I had used language ingeniously contrived to conceal my intentions, or words to that effect. Now, I understand that this is an imputation upon my veracity and my candor. I do not know what the Judge understood by it, but in our first discussion at Ottawa, he led off by charging a bargain, somewhat corrupt in its character, upon Trumbull and myself; that we had entered into a bargain, one of the terms of which was that Trumbull was to abolitionize the old democratic party, and I, (Lincoln,) was to abolitionize the old whig party;—I pretending to be as good an old line whig as ever. Judge Douglas may not understand that he implicated my truthfulness and honor, when he said I was doing one thing and pretending another; and I misunderstood him if he thought he was treating me in a dignified way, as a man of honor and truth, as he now claims he was disposed to treat me.

Even after that time, at Galesburg, when he brings forward an extract from a speech made at Chicago, and an extract from a speech made at Charleston, to prove that I was trying to play a double part—that I was trying to cheat the public, and get votes upon one set of principles at one place, and upon another set of principles at another place. I do not understand but what he impeaches my honor, my veracity, and my candor, and because *he* does this, I do not understand that I am bound, if I see a truthful ground for it, to keep my hands off of him. As soon as I

learned that Judge Douglas was disposed to treat me in this way, I signified in one of my speeches, that I should be driven to draw upon whatever of humble resources I might have—to adopt a new course with him. I was not entirely sure that I should be able to hold my own with him, but I at least had the purpose made to do as well as I could upon him; and now I say that I will not be the first to cry "hold." I think it originated with the Judge, and when he quits, I probably will. But I shall not ask any favors at all. He asks me, or he asks the audience, if I wish to push this matter to the point of personal difficulty? I tell him, no. He did not make a mistake, in one of his early speeches, when he called me an amiable man, though perhaps he did when he called me an "intelligent" man. It really hurts me very much to suppose that I have wronged anybody on earth. I again tell him, no! I very much prefer, when this canvass shall be over, however it may result, that we at least part without any bitter recollections of personal difficulties.

These discussions were generally grave, but Lincoln could not at all times refrain from humor. In his speech at Springfield, July 17th, 1858, he said:



Senator Douglas is of world-wide renown. All the anxious politicians of his party, or who have been of his party for years past, have been looking upon him as certainly, at no distant day, to be the President of the United States. They have seen in his round, jolly, fruitful face, post-offices, land-offices, marshalships, and cabinet appointments, chargeships, foreign missions; and sprouting out in wonderful exuberance, ready to be laid hold of by their greedy hands. And as they have been gazing upon this attractive picture so long, they cannot, in the little distraction that has taken place in the party, bring themselves to give up the charming hope, but with greedier anxiety they rush about him, sustain him, and give him marches, triumphal entries, and receptions beyond what, even in the days of his highest prosperity, they could have brought about in his favor.

On the contrary, nobody has ever expected me to be President. In my poor, lean, lank face, nobody has ever seen that any cabbages were sprouting out. These are disadvantages, all taken together, that the republicans labor under. *We* have to fight this battle upon principle alone. I am, in a certain sense, made the standard-bearer in behalf of the republicans. I was made so merely because there had to be some one so placed—I being in nowise preferable to any other one of the twenty-five—perhaps a hundred, we have in the republican ranks. Then I wish it to be distinctly understood and borne in mind, that we have to fight this battle without many—perhaps without any—of the external aids which are brought to bear against us. So I hope those with whom I am surrounded have principle enough to nerve themselves for the task, and leave nothing undone that can be fairly done, to bring about the right result.

After Senator Douglas left Washington, his movements were made known by the public prints; he tarried a considerable time in the city of New York; and it was heralded that, like another Napoleon, he was lying by and framing the plan of his campaign.

I think I have been able to see what are the material points of that plan. They were not very numerous. The first is "popular sovereignty." The second and third are attacks upon my speech made on the 16th of June. Out of these three points—drawing within the range of popular sovereignty the question of the Lecompton Constitution—he makes his principal assault. Upon these his successive speeches are substantially one and the same. On this matter of popular sovereignty I wish to be a little careful. Auxiliary to these main points, to be sure, are their thunderings of cannon, their marching and music, their fizzle-gigs, and fire-works; but I will not waste time with them. They are but the little trappings of the campaign.

Coming to the substance—the first point—"popular sovereignty," is to be labelled upon the cars in which he travels; put upon the hacks he rides in; to be flaunted upon the arches he passes under, and the banners which wave over him. It is to be dished up in as many varieties as a French cook can produce soups from potatoes.

Lincoln again expresses his views of the importance of the slavery question:

Although I have ever been opposed to slavery, so far I rested in the hope and belief that it was in the course of ultimate extinction. I might have been mistaken; but I had believed, and now believe, that the whole public mind, that is, the mind of the great majority, had rested in that belief up to the repeal of the Missouri Compromise. But upon that event, I became convinced that either I had been resting in a delusion, or the institution was being placed on a new basis—a basis for making it perpetual, national, and universal. Subsequent events have greatly confirmed me in that belief. I believe that bill to be the beginning of a conspiracy for that purpose. So believing, I have since then considered that question a paramount one. So believing, I think the public mind will never rest till the power of Congress to restrict the spread of it shall be again acknowledged and exercised on the one hand, or on the other, all resistance be entirely crushed out. I have expressed that opinion, and I entertain it to-night. It is denied that there is any tendency to the nationalization of slavery in these States.

Mr. Brooks, of South Carolina, in one of his speeches, when they were presenting him canes, silver plate, gold pitchers and the like, for assaulting Senator Sumner, distinctly affirmed his opinion that when this Constitution was formed, it was the belief of no man that slavery would last to the present day.

He thus speaks of the Dred Scott decision, and Douglas' reverence for it:

And I remind him of another piece of history on the question of respect for judicial decisions, and it is a piece of Illinois history, belonging to a time when the large party to which Judge Douglas belonged, were displeased with a decision of the Supreme Court of Illinois, because they had decided that a Governor could not remove a Secretary of State. You will find the whole story in Ford's History of Illinois, and I know that Judge Douglas will not deny that he was then in favor of overslaughing that decision by the mode of adding five new Judges, so as to vote down the four old ones. Not only so, but it ended in the *Judge's sitting down on that very bench as one of the five new Judges, to break down the four old ones.* It was in this way precisely that he got his title of Judge. Now, when the Judge tells me that men appointed conditionally to sit as members of a court, will have to be catechised beforehand upon some subject, I say, "You know, Judge; you have tried it." When he says a court of this kind will lose the confidence of all men, will be prostituted and disgraced by such a proceeding, I say, "You know best, Judge; you have been through the mill." But I cannot shake Judge Douglas' teeth loose from the Dred Scott decision. Like some obstinate animal, (I mean no disrespect,) that will hang on when he has once got his teeth fixed, you may cut off a leg, or you may tear away an arm, still he will not relax his hold. And so I may point out to the Judge, and say that he is bespattered all over, from the beginning of his political life to the present time, with attacks upon judicial decisions—I may cut off limb after limb of his public record, and strive to wrench him from a single dictum of the court—yet I cannot divert him from it. He hangs to the last to the Dred Scott decision. These things show there is a purpose *strong as death and eternity*, for which he adheres to this decision, and for which he will adhere to *all other decisions* of the same court.

A Hibernian—"Give us something beside Drid Scott."

Mr. Lincoln—Yes; no doubt you want to hear something that don't hurt.

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Judge Douglas is going back to the era of our Revolution, and to the extent of his ability, muzzling the cannon which thunders its annual joyous return. When he invites any people, willing to have slavery, to establish it, he is blowing out the moral lights around us. When he says he "cares not whether slavery is voted down or voted up"—that it is a sacred right of self-government—he is, in my

judgment, penetrating the human soul, and eradicating the light of reason and the love of liberty in this American people. And now I will only say, that when by all these means and appliances, Judge Douglas shall succeed in bringing public sentiment to an exact accordance with his own views — when these vast assemblages shall echo back all these sentiments — when they shall come to repeat his views and to avow his principles, and to say all that he says on these mighty questions — then it needs only the formality of the second Dred Scott decision, which he endorses in advance, to make slavery alike lawful in all the States, old as well as new, North as well as South.

My friends, that ends the chapter. Judge Douglas can take his half hour.

A good specimen of Judge Douglas' boldness and dogmatism was exhibited at Freeport, August 27, 1858. Douglas persisted in calling the Republicans "*Black Republicans*," although the crowd called out and insisted again and again that he should say "*White Republicans*"—"no epithets." It must be admitted Douglas was insulting, and the crowd resented it. He was in the very strongest Republican district, and there were ten to one of the crowd Republican, and yet Douglas persisted in calling them "Black;" at length he said:

Now, there are a great many Black Republicans of you who do not know this thing was done. ("White, white, and great clamor.") I wish to remind you that while Mr. Lincoln was speaking, there was not a Democrat vulgar and blackguard enough to interrupt him. But I know that the shoe is pinching you. I am clinching Lincoln now, and you are scared to death for the result. I have seen this thing before. I have seen men make appointments for joint discussions, and the moment their man has been heard, try to interrupt and prevent a fair hearing of the other side. I have seen your mobs before, and deny your wrath. (Tremendous applause.) My friends, do not cheer, for I need my whole time.

I have been put to severe tests. I have stood by my principles in fair weather and in foul, in the sunshine and in the rain. I have defended the great principles of self-government here among you when Northern sentiment ran in a torrent against me, and I have defended that same great principle when Southern sentiment came down like an avalanche upon me. I was not afraid of any test they put to me. I knew I was right — I knew my principles were sound — I knew that the people would see in the end that I had done right, and I knew that the God of Heaven would smile upon me if I was faithful in the performance of my duty.

At Alton, October 15th, 1858, Lincoln said, speaking of slavery:

On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has anything ever threatened the existence of this Union save and except this very institution of slavery? What is it that we hold most dear amongst us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of slavery? If this is true, how do you propose to improve the condition of things by enlarging slavery? — by spreading it out and making it bigger? You may have a wen or cancer upon your person and not be able to cut it out lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong — restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way, the old-fashioned way, the way in which the fathers themselves set us the example.

At the meeting at Freeport, August 27, 1858, occurred one of those passages which brings out the traits and characteristics of the champions. Mr. Lincoln, after alluding to some questions propounded to him by Senator Douglas, at Ottawa, said:

I now propose that I will answer any of the interrogatories, upon condition that he will answer questions from me, not exceeding the same number, to which I give him an opportunity to respond. The Judge remains silent; I now say that I will answer his interrogatories, whether he answer mine or not, and that after I have done so, I shall propound mine to him.

I have supposed myself, since the organization of the Republican party at Bloomington, in May, 1856, bound as a party man by the platforms of the party, then, and since. If, in any interrogatories which I shall answer, I go beyond the scope of what is within these platforms, it will be perceived that no one is responsible but myself.

Having said thus much, I will take up the Judge's interrogatories, as I find them printed in the *Chicago Times*, and answer them *seriatim*. In order that there may be no mistake about it, I have copied the interrogatories in writing, and also my answers to them. The first one of these interrogatories is in these words:

Question 1.—I desire to know whether Lincoln to-day stands, as he did in 1854, in favor of the unconditional repeal of the Fugitive Slave Law?

Answer.— I do not now, nor ever did, stand in favor of the unconditional repeal of the Fugitive Slave Law.

Q. 2.—I desire him to answer whether he stands pledged to-day, as he did in 1854, against the admission of any more slave States into the Union, even if the people want them?

A.—I do not now, nor ever did, stand pledged against the admission of any more slave States into the Union.

Q. 3.—I want to know, whether he stands pledged against the admission of a new State into the Union, with such a Constitution as the people of that State may see fit to make?

A.—I do not stand pledged against the admission of a new State into the Union, with such a Constitution as the people of that State may see fit to make.

Q. 4.—I want to know whether he stands to-day pledged to the abolition of slavery in the District of Columbia?

A.— I do not stand to-day pledged to the abolition of slavery in the District of Columbia.

Q. 5.—I desire him to answer whether he stands pledged to the prohibition of the slave trade between the different States?

A.—I do not stand pledged to the prohibition of the slave trade between the different States.

Q. 6.— I desire to know whether he stands pledged to prohibit slavery in all the Territories of the United States, North as well as South of the Missouri Compromise line?

A.— I am impliedly, if not expressly, pledged to a belief in the *right* and *duty* of Congress to prohibit slavery in all the United States' Territories.

Q. 7.— I desire him to answer, whether he is opposed to the acquisition of any new territory, unless slavery is first prohibited therein?

A.— I am not generally opposed to honest acquisition of territory; and, in any given case, I would or would not oppose such acquisition, according as I might think such acquisition would or would not aggravate the slavery question among ourselves.

Now my friends, it will be perceived upon an examination of these questions and answers, that so far, I have only answered that I was not *pledged* to this, that, or the other.

The Judge has not framed his interrogatories to ask me anything more than this, and I have answered in strict accordance with the interrogatories — and have answered truly, that I am not *pledged* at all upon any of the points to which I have answered. But I am not disposed to hang upon the exact form of his interrogatory. I am rather disposed to take up, at least some of these questions, and state what I really think upon them.

The fourth one is in regard to the abolition of slavery in the District of Columbia. In relation to that, I have my mind very distinctly made up. I should be very glad to see slavery abolished in the District of Columbia. I believe that Congress possesses the constitutional power to abolish it. Yet, as a member of Congress, I should not, with my present views, be in favor of *endeavoring* to abolish slavery in the District of Columbia, unless it should be upon these conditions: *First*, That the abolition should be gradual; *Second*, That it should be on a vote of the majority of qualified voters in the District; and *Third*, That compensation should be made to unwilling owners. With these three conditions, I confess I would be exceedingly glad to see Congress abolish slavery in the District of Columbia, and, in the language of Henry Clay, "sweep from our Capital that foul blot upon our nation." I now proceed to propound to the Judge the interrogatories, so far as I have framed them. I will bring forward a new instalment when I get them ready. I will bring now only four. The first one is —

1. If the people of Kansas shall, by means entirely unobjectionable in all other respects, adopt a State Constitution and ask admission into the Union under it *before* they have the requisite number of inhabitants, according to the English bill — some ninety-three thousand — will you vote to admit them?

2. Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?

3. If the Supreme Court of the United States shall decide that States cannot exclude slavery from their limits, are you in favor of acquiescing in, adopting and following such decision as a rule of political action?

4. Are you in favor of acquiring additional territory, in disregard of how such acquisition may affect the nation on the slavery question?

It will be observed that the answers of Mr. Lincoln are full, fair and candid, and it is just to state, that these answers were not satisfactory to the radical anti-slavery men whom he addressed, and he knew they would not be.

To the first question, Mr. Douglas said:

In reference to Kansas, it is my opinion that, as she has population enough to constitute a slave State, she has people enough for a free State.

I hold it to be a sacred rule of universal application, to require a Territory to contain the requisite population for a member of Congress, before it is admitted as a State into the Union!

To the second question, Douglas replied:

It matters not what way the Supreme Court may hereafter decide, as to the abstract question whether slavery may or may not go into a Territory under the Constitution, the people have the lawful means to introduce it, or exclude it as they please, for the reason that slavery cannot exist a day, or an hour, anywhere, unless it is supported by local police regulations. Those police regulations can only be established by the local legislature, and if the people are opposed to slavery, they will elect representatives to that body, who will, by unfriendly legislation, effectually prevent the introduction of it into their midst. If, on the contrary, they are

for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska bill.

It was in regard to this question that a friend of Mr. Lincoln said: "If Douglas answers in such a way, as to give practical force and effect to the 'Dred Scott' decision, he inevitably loses the battle, but he will therefore reply, by declaring the decision an abstract proposition; he will adhere to his doctrine of squatter sovereignty, and declare that a territory may exclude slavery." "If he does that," said Mr. Lincoln, "he can never be President." "But," said the friend, "he may be Senator." "Perhaps," replied Lincoln, "but I am after larger game; the battle of 1860 is worth a hundred of this."

It is not known positively whether Mr. Lincoln then looked forward to the possibility of his being a candidate for the Presidency; it is not improbable that by his rare sagacity, and knowledge of public sentiment he already saw, in the rivalry of prominent leaders, his own nomination. However this may have been, he believed that the elevation of Douglas to the Executive chair, with his avowed sentiments, would be dangerous to liberty, and sought by every legitimate means to damage his prospects.

To the third question, Mr. Douglas said:

The third question which Mr. Lincoln presented is, if the Supreme Court of the United States shall decide that a State of this Union cannot exclude slavery from its own limits, will I submit to it? I am amazed that Lincoln should ask such a question.

He casts an imputation upon the Supreme Court of the United States by supposing that they would violate the Constitution of the United States. I tell him that such a thing is not possible. It would be an act of moral treason that no man on the bench could ever descend to. Mr. Lincoln, himself, would never, in his partisan feelings, so far forget what was right, as to be guilty of such an act.

This, however, from Mr. Douglas, was an *evasion*, not an answer.

To the fourth question, whether he "was in favor of acquiring additional territory in disregard as to how such acquisition may affect the slavery question," he replied:

With our natural increase, growing with a rapidity unknown in any other part of the globe, with the tide of emigration that is fleeing from despotism in the old world, to seek refuge in our own, there is a constant torrent pouring into this

country that requires more land — more territory upon which to settle, and just as fast as our interests and our destiny require additional territory in the North, in the South, or on the Islands of the Ocean, I am for it, and when we acquire it, will leave the people, according to the Nebraska bill, free to do as they please on the subject of slavery, and every other question.

It was impossible to reconcile Douglas' position at Freeport, that slavery could be rightfully excluded from a Territory by legislation, and the "Dred Scott" decision, which decided that a slaveholder had a legal right to take his slaves into all the territories.

Mr. Lincoln exposed this in one of his terse, clear sentences, when he said "it was declaring *that a thing may be lawfully driven away from a place, where it has a lawful right to go.*"

These debates, and the debaters, have passed into history. The world has pronounced Mr. Lincoln the victor, but it should be remembered, in justice to Douglas, that Lincoln spoke for liberty and against the extension of slavery; he was the organ of a new and vigorous party, and he knew he was right. Douglas was a candidate for the Presidency as well as Senator, and must keep one eye on the slaveholders, and the other on the citizens of Illinois. This hampered and embarrassed him, yet he made a brilliant canvass.

An immense vote was cast — for Mr. Lincoln, 126,084; for Mr. Douglas, 121,940; and 5,091 were given for the Buchanan ticket, which was run to defeat Douglas.

Owing to the fact that several Democratic senators held over in districts which gave Republican majorities, and the inequality of the apportionment, it having been made on the basis of the population of 1850, Mr. Douglas was reëlected.

These debates were published at the time in the leading newspapers throughout the Union. The manly bearing, the vigorous logic, the straight-forward honesty and earnest sincerity, as well as the intellectual power manifested by Mr. Lincoln in these discussions, made a deep impression upon the people. So well satisfied was the Republican party with the efforts of its champion, that these debates, including the speeches of Douglas and Lincoln, were published, without alteration, as a campaign document, and scattered everywhere throughout the Union.

At the close of the canvass, Mr. Lincoln resumed the practice of his profession. His fame as a lawyer and a statesman had extended throughout the West, and he was called by professional engagements, not only into every part of Illinois, but into Indiana, Wisconsin, Missouri and Ohio.

In 1859, he visited Kansas, and the grateful people of that young State received him as one who had eloquently plead their cause.

In the autumn of 1859, Douglas visited and stumped Ohio. The fame of Lincoln had extended there, and he was sent for to come to that State and reply. He went, and spoke at Columbus and Cincinnati.

A few extracts are given from his speech at Columbus:

The American people, on the first day of January, 1854, found the African slave trade prohibited by a law of Congress. In a majority of the States of this Union, they found African slavery, or any other sort of slavery, prohibited by State Constitutions. They also found a law existing, supposed to be valid, by which slavery was excluded from almost all the territory the United States then owned. This was the condition of the country, with reference to the institution of slavery, on the first of January, 1854. A few days after that, a bill was introduced into Congress, which ran through its regular course in the two branches of the National Legislature, and finally passed into a law in the month of May, by which the act of Congress prohibiting slavery from going into the Territories of the United States was repealed. In connection with the law itself, and, in fact, in the terms of the law, the then existing prohibition was not only repealed, but there was a declaration of a purpose on the part of Congress never thereafter to exercise any power that they might have, real or supposed, to prohibit the extension or spread of slavery. This was a very great change; for the law thus repealed was of more than thirty years' standing. Following rapidly upon the heels of this action of Congress, a decision of the Supreme Court is made, by which it is declared that Congress, if it desires to prohibit the spread of slavery into the Territories, has no Constitutional power to do so. Not only so, but that decision lays down principles which, if pushed to their logical conclusion — I say pushed to their logical conclusion — would decide that the Constitutions of free States, forbidding slavery, are themselves unconstitutional. Mark me, I do not say the Judge said this, and let no man say I affirm the Judge used these words; but I only say it is my opinion that what he did say, if pressed to its logical conclusion, will inevitably result thus.

Looking at these things, the Republican party, as I understand its principles and policy, believe that there is great danger of the institution of slavery being spread out and extended, until it is ultimately made alike lawful in all the States of this Union; so believing, to prevent that incidental and ultimate consummation, is the original and chief purpose of the Republican organization. I say chief purpose of the Republican organization; for it is certainly true that if the National House shall fall into the hands of the Republicans, they will have to attend to all the other matters of National House-keeping, as well as this.

Of the Ordinance of 1787, he said:

Not only did that Ordinance prevail, but it was constantly looked to whenever a step was taken by a new Territory to become a State. Congress always turned their attention to it, and in all their movements upon that subject, they traced

their course by that Ordinance of '87. When they admitted new States, they advertised them of this Ordinance as a part of the legislation of the country. They did so because they had traced the ordinance of '87 throughout the history of this country. Begin with the men of the Revolution, and go down for sixty entire years, and until the last scrap of that Territory comes into the Union in the form of the State of Wisconsin, everything was made to conform with the Ordinance of '87, excluding slavery from that vast extent of country.

At Cincinnati, Lincoln addressed himself to Kentuckians among others. He said:

It has occurred to me here to-night, that if I ever do shoot over the line at the people on the other side of the line into a slave State, and purpose to do so, keeping my skin safe, that I have now about the best chance I shall ever have. I should not wonder that there are some Kentuckians about this audience; we are close to Kentucky; and whether that be so or not, we are on elevated ground, and by speaking distinctly, I should not wonder if some of the Kentuckians would hear me on the other side of the river. For that reason I propose to address a portion of what I have to say to the Kentuckians.

I say, then, in the first place, to the Kentuckians, that I am what they call, as I understand it, a "Black Republican." I think slavery is wrong, morally and politically. I desire that it should be no further spread in these United States, and I should not object if it should gradually terminate in the whole Union. While I say this for myself, I say to you Kentuckians, that I understand you differ radically with me upon this proposition; that you believe slavery is a good thing; that slavery is right; that it ought to be extended and perpetuated in this Union. Now, there being this broad difference between us, I do not pretend in addressing myself to you Kentuckians, to attempt proselyting you; that would be a vain effort. I do not enter upon it. I only propose to try to show you that you ought to nominate for the next Presidency, at Charleston, my distinguished friend, Judge Douglas. In all that there is a difference between you and him, I understand he is sincerely for you, and more wisely for you, than you are for yourselves.

It is my opinion that it is for you to take him or be defeated; and that if you do take him you may be beaten. You will surely be beaten if you do not take him. We, the Republicans and others, forming the opposition of the country, intend to "stand by our guns," to be patient and firm, and in the long run to beat you whether you take him or not. We know that before we fairly beat you, we have to beat you both together. We know that you are all of a "feather," and that we have to beat you altogether, and we expect to do it. We don't intend to be very impatient about it. We mean to be as deliberate and calm about it as it is possible to be, but as firm and resolved as it is possible for men to be. When we do as we say, beat you, you perhaps want to know what we will do with you.

I will tell you, so far as I am authorized to speak for the opposition, what we mean to do with you. We mean to treat you, as near as we possibly can, as Washington, Jefferson, and Madison, treated you. We mean to leave you alone, and in no way to interfere with your institution; to abide by all and every compromise of the Constitution, and, in a word, coming back to the original proposition, to treat you, so far as degenerated men (if we have degenerated,) may, according to the examples of those noble fathers—Washington, Jefferson, and Madison. We mean to remember that you are as good as we; that there is no difference between us other than the difference of circumstances. We mean to recognize and bear in mind always that you have as good hearts in your bosoms as other people, or as we claim to have, and treat you accordingly. We mean to marry your girls when we have a chance—the white ones I mean, and I have the honor to inform you that I once did have a chance in that way.

I have told you what we mean to do. I want to know, now when that thing takes place, what you mean to do. I often hear it intimated that you mean to divide the Union whenever a republican or anything like it, is elected President of the United States. (A voice—"That is so.") "That is so," one of them says; I

wonder if he is a Kentuckian? (A voice—"He is a Douglas man.") Well, then, I want to know what you are going to do with your half of it? Are you going to split the Ohio down through, and push your half off a piece? Or are you going to keep it right alongside of us outrageous fellows? Or are you going to build up a wall some way between your country and ours, by which that movable property of yours can't come over here any more, to the danger of your losing it? Do you think you can better yourselves on that subject, by leaving us here under no obligation whatever to return those specimens of your movable property that come hither? You have divided the Union because we would not do right with you, as you think, upon that subject; when we cease to be under obligations to do anything for you, how much better off do you think you will be? Will you make war upon us and kill us all? Why, gentlemen, I think you are as gallant and as brave men as live; that you can fight as bravely in a good cause, man for man, as any other people living; that you have shown yourselves capable of this upon various occasions; but man for man, you are not better than we are, and there are not so many of you as there are of us. You will never make much of a hand at whipping us. If we were fewer in numbers than you, I think that you could whip us; if we were equal it would likely be a drawn battle; but being inferior in numbers, you will make nothing by attempting to master us.

The most elaborate and carefully prepared speech, ever made by Mr. Lincoln, was that delivered by him at the Cooper Institute, in the city of New York, on Tuesday evening, February 29th, 1860.

This was Mr. Lincoln's first appearance in that city. The large hall was crowded to hear this Western statesman, then chiefly known as the successful competitor of Douglas. Bryant, the poet, presided; if any came to hear noisy declamation or verbiage, they must have been disappointed.

There is not a more learned, exhaustive, logical speech in political literature. It has not a superfluous word.

He took for the text of his speech, these words of Senator Douglas, uttered at Columbus, Ohio, the previous autumn.

"*Our fathers when they framed the Government under which we live, understood this question just as well, and even better than we do now.*"

Conceding that this was true, Mr. Lincoln proceeded to enquire, "*what was the understanding those fathers had of the question mentioned?*" (Slavery.)

He first answers, who were "*our fathers who framed the Government.*"

He showed that the thirty-nine men who framed the Constitution were "*our fathers.*"

"What is the question which these fathers understood just as well, if not better than we do now?"

It is this: "Does the Constitution forbid our Federal Government to control as to slavery in our *Federal territories?*"

He then went into a full historical argument on the subject, presenting every recorded act of the Fathers upon the question. His argument demonstrating the right of Congress to prohibit slavery in the territories, never has been, and never can be answered.

He closed this great speech, which made a profound impression upon the thoughtful men of New York, with these memorable words. "*Let us have faith that right makes might, and in that faith let us to the end dare to do our duty, as we understand it.*"

This effort was so dignified in manner, and style, it exhibited such logic, and learning, and was in every way so different from what was expected, that the orator from the prairies awoke the next morning to find himself famous.

This speech was very widely circulated and read, and prepared the minds of the people for his nomination for the Presidency.

As the Presidential election of 1860, approached, Mr. Lincoln's name was more and more frequently mentioned in connection with that position. The prominent candidates, however, continued to be Senators Seward and Cameron, and Governor Chase. Mr. Lincoln, outside of Illinois, was regarded only as a possible compromise candidate.

On the 10th of May, 1860, a Republican State Convention was held at Decatur, in Macon county, Illinois, to nominate State officers, and appoint delegates to the National Presidential Convention, which was to meet in Chicago, in June.

As Mr. Lincoln entered the hall where the convention was in session, he was received with such marked demonstration as left no doubt, about his being the choice of Illinois, for the Presidency. Soon after he was seated, General Oglesby, announced that an old democrat of Macon county, desired to make a contribution to the convention.

Immediately some farmers brought into the hall two old fence rails, bearing the inscription, "*Abraham Lincoln, the rail candidate for the Presidency in 1860. Two rails from a lot*

of 3,000, made in 1830, by Thomas Hanks and Abe Lincoln, whose father was the first pioneer of Macon county."

The effect of this cannot be described. For fifteen minutes, cheers upon cheers went up from the crowd. Lincoln was called to the stand, but his rising was the signal for renewed cheering, and this continued until the audience had exhausted itself, and then Mr. Lincoln gave a history of these two rails, and of his life in Macon county. He told the story of his labor in helping to build his father's log cabin, and fencing in a field of corn.

This dramatic scene, was not planned by politicians, but was the spontaneous action of the old pioneers. The effect it had upon the people, satisfied all present, that it was a waste of words to talk in Illinois, of any other man than Abraham Lincoln, for President.

No public man had less of the demagogue than Mr. Lincoln. He never mentioned his humble life, or his manual labor, for the purpose of getting votes. He knew perfectly well that it did not follow because a man could split rails, that he would make a good statesman or President. So far from having any feeling of this kind, he realized painfully, the defects of his education, and did his utmost to supply his deficiencies.

When told that the people were talking of making him President, he said, "they ought to select some one who knows more than I do."

But while he did not think any more of himself, because he had in early life, split rails, he had too much real dignity to lose any self respect on that account.

CHAPTER VI.

PRESIDENTIAL ELECTION OF 1860 — ELECTION OF LINCOLN, AND CULMINATION OF THE CONSPIRACY TO DISSOLVE THE UNION.

THE CHARLESTON CONVENTION — DOUGLAS — SECESSIONISTS BREAK UP THE CONVENTION — ADJOURN TO BALTIMORE — AND RICHMOND — DOUGLAS — AND BRECKINRIDGE NOMINATED — "AMERICANS" NOMINATE BELL AND EVERETT — THE CHICAGO CONVENTION — THE WIG-WAM — SEWARD — LINCOLN — THE NOMINATION — THE CANVASS — THE "WIDE-AWAKES" — POSITION OF PARTIES ON THE SLAVERY QUESTION — LINCOLN ELECTED — CONSPIRACY TO DISSOLVE THE UNION — PREPARATIONS OF THE CONSPIRATORS — THE NORTH DISARMED.

PRIOR to the meeting of the Democratic National Convention, which met at Charleston, South Carolina, in April, 1860, it was obvious that a storm was gathering which threatened the rupture of that old and powerful organization. Douglas was the popular candidate for President in the free States, and had many strong personal friends in the slave States. But the ultra slaveholders as a class, were bitterly hostile to him on account of his course on the Lecompton question. They determined to break up the convention rather than permit his nomination. Hitherto in conventions, the North had yielded to the more positive and determined leaders among the slaveholders, and many supposed the friends of Douglas would yield, and that a nomination of some negative man would be forced upon the convention upon whom the party would harmonize. But two powerful elements prevented this.

The friends of Douglas who had been inspired by him with a will as determined as that of his enemies, having a majority, resolved that their leader should not be sacrificed as Van

Buren, Benton, and other leaders had been, who had offended the slaveholders.

The other element was composed of the secessionists and traitors, who did not desire Union, but were determined to push matters to extremes, to divide the democratic party, thereby secure the success of the republican party, and then to make that success the pretext for secession. A convention composed of these elements with such purposes, could not harmonize.

The committee upon resolutions to which the subject of the platform was referred, made three reports. The majority reported resolutions declaring, among other things, that "Congress had no power to abolish or prohibit slavery in the territories; nor had the territorial Legislature any power to abolish or prohibit slavery in the territories; * * * nor to impair or destroy the right of property in slaves by any legislation whatever."

This was intended as a direct repudiation of Mr. Douglas' doctrine of popular sovereignty, and his friends knew that they might as well give up the canvass at the start, as to go before the people on this platform. A minority of the committee, but representing a decided majority of the electoral votes, reported resolutions re-affirming the old platform adopted at Cincinnati, in 1856; with some additional resolutions designed to conciliate the slave States, and declaring that "inasmuch as there were differences of opinion in the democratic party as to the powers of a territorial Legislature, and as to the powers and duties of Congress under the Constitution, over the institution of slavery in the territories, the democratic party would abide by the decrees of the Supreme Court, on questions of Constitutional law."

When it is remembered that the Dred Scott decision had been pronounced, giving to the slaveholders all that they claimed, one would suppose that this resolution would have been deemed satisfactory. And it would have been, if the slaveholders had really desired harmony, but a majority of them meant disunion. Benjamin F. Butler, of Massachusetts, one of the committee, reported the Cincinnati platform without addition. After voting down Mr. Butler's proposition, the

convention adopted the minority report, which contained the Cincinnati platform with the additions.

Thereupon, L. P. Walker, subsequently the rebel Secretary of War, presented the protest of the delegates from Alabama, and those delegates withdrew from the convention.

Among these delegates was William L. Yancey, long before a notorious secessionist. The delegates from Mississippi, Louisiana, Texas, South Carolina, Florida, and Arkansas, Georgia, and Delaware, thereupon also withdrew. The convention thereupon resolved that it should require two-thirds of a full convention to nominate, and then, after balloting several times, on each of which ballots Mr. Douglas had a large, but not, under the rule, a two-thirds majority, the convention adjourned to meet at Baltimore, on the 18th of June. The seceding delegates adjourned to meet at Richmond, on the second Monday in June.

The Baltimore convention met and nominated Stephen A. Douglas for President, and Benjamin Fitzpatrick, of Alabama, for Vice President, but on his declining, Herschel V. Johnson, of Georgia, was substituted.

The seceders' convention at Richmond, adopting the resolutions of the majority of the committee, nominated John C. Breckinridge, of Kentucky, for President, and Colonel Joseph Lane, of Oregon, for Vice President.

The disruption of the democratic party was hailed with delight by the infatuated people of Charleston, and other parts of the rebel States, as the prelude to the breaking up of the Union.

The Constitutional Union (American) party nominated John Bell, for President, and Edward Everett, for Vice President.

On the 16th of May, 1860, the Republican Convention met at Chicago, to nominate candidates for President and Vice President. An immense building called the "Wigwam," capable of holding many thousands of people, had been specially erected for the meeting. Full, and eager, and enthusiastic delegations were there from all the free States, and representatives were present from Delaware, Maryland, Kentucky, Missouri, and Virginia, and some scattering

representatives from some of the other slave States; but the Gulf States were not represented. Indeed, few of the slave States were fully and perfectly represented. On motion of Governor Morgan, Chairman of the National Executive Committee, David Wilmot, author of the Wimot Proviso, was made temporary Chairman, and George Ashmun, of Massachusetts, permanent President.

Their platform of principles was adopted without difficulty. They resolved to maintain the principles of the Declaration of Independence, declared their fidelity to the Union; their abhorrence of all schemes of disunion; denounced all who threatened disunion as an avowal of contemplated treason, which it was the duty of the people sternly to rebuke and forever silence.

The convention also resolved: "that the new dogma that the Constitution carried slavery into all the territories, was a dangerous political heresy, revolutionary in tendency, and subversive of the peace and harmony of the country; that the normal condition of all the territories is that of freedom; that neither Congress, the territorial Legislature, nor any individual could give legal existence to slavery; that Kansas ought to be immediately admitted as a free State; that the opening of the slave trade would be a crime against humanity." They declared also in favor of a homestead law, Harbor and River improvements, and the Pacific Railroad.

The leading candidates for the nomination for President, were William H. Seward, of New York, Abraham Lincoln, of Illinois, Salmon P. Chase, of Ohio, Simon Cameron, of Pennsylvania, and Edward Bates, of Missouri; but it early became apparent that the contest was between Seward and Lincoln. Mr. Seward had been for many years a leading statesman; Governor of New York, and long its most distinguished Senator; he had brought to the discussions of the great issue between liberty and slavery, a philosophic mind, broad and catholic views, great sagacity, and an elevated love of liberty and humanity. Few, if any, had done more to enlighten, create, and consolidate public opinion in the free States. His position had been far more conspicuous than that of Mr. Lincoln. Hence he had been supposed to be

more in the way of rivals, and had become the object of more bitter personal and political hostility than Mr. Lincoln. The Illinois candidate was principally known outside of the Northwest, as the competitor of Douglas. Yet the *sobriquet* of "honest old Abe," "the rail-splitter of Illinois," had extended throughout the free States; he had no enemies, and was the second choice of nearly all the delegates of which he was not the first choice. He was supposed by the shrewd politicians, to have, and he did possess, those qualities which make an available candidate. Although a resident of the State, he did not attend the convention, but was quietly at his home in Springfield.

Few men of that convention realized, or had the faintest foreshadowings of the terrible ordeal of civil war, which was before the candidate which they should nominate and the people elect. Yet there seems to have been a peculiar propriety in Mr. Lincoln's nomination; and there was here illustrated, that instinctive sagacity, or more truly, *providen-vidential guidance*, which directs a people in a critical emergency, to act wisely.

Looking back, we now see how wise the selection. The Union was to be assailed; Lincoln was from the National Northwest, which would never surrender its great communications with the ocean, by the Mississippi, or the East.

The great principles of the Declaration of Independence were to be assailed by vast armies; his political platform had ever been that Declaration.

Aristocratic power, with the sympathy of the Kings and nobility of Europe, was to make a gigantic effort to crush liberty and democracy; it was fit that the great champion of liberty, of a government "of the people, for the people, by the people," should be a man born on the wild prairie, nurtured in the rude log cabin, and reared amidst the hardships and struggles of humble life.

On the first ballot, Mr. Seward received 173½ votes to 102 for Lincoln, the others being divided on Messrs. Cameron, Chase, Bates, and others. On the second, Mr. Seward received 184 votes to 181 for Mr. Lincoln. On the third, Mr.

Lincoln received a majority, and his nomination was then made unanimous.* While the balloting was in progress,

* Did Lincoln anticipate this nomination?

In March 1860, Mr. Lincoln spent several days at Chicago, engaged in the United States Court in the trial of the case of *Johnson* v. *Jones*. During the trial, Judge Drummond, Mr. Lincoln, and the members of the bar engaged in the case, were dining together, at the table of one of the counsel, who was a warm personal and political friend of Mr. Lincoln. Others of the counsel present were equally warm friends of Judge Douglas, who was then the most prominent candidate for the Presidency before the people.

When the cloth was removed the host said "gentlemen, please fill your glasses for a toast, which, differing as we do politically, I am sure all present will heartily respond to." "*May Illinois furnish the next President!*" The friends of Douglas drank to him, and the rest of us to Lincoln.

So far as the author knows, the first nomination in any newspaper of Mr. Lincoln for the Presidency was made on the 5th day of October 1859, by the *Aurora Beacon*, published at Aurora, Kane county, Illinois, and then ably edited by *John W. Ray, Esq.*

In the *Beacon* for October 6th, 1859, under the caption of "*The calmness of the republicans*," Mr. Lincoln was named, incidentally, among some half dozen others, as the possible man for their candidate for 1859.

In the issue of the same paper of November 10th, 1859, the nomination took definite shape under the caption, "*They say Old Abe is the man.*" Among other passages occur the following, in that article:

"Illinois has rather waited for others to move, than to move herself, because her man is one of her own citizens, and she trusted that the people of other States, would do with a better grace, what she is particularly desirous of having done. She waits to second, what she would be the first to move in, were the great man a citizen of any other State. * * It is a settled question we believe that the WEST must have the next President, never having had a man in the office, but one month. It is also settled, that there must be a candidate who can carry the most doubtful States. Now Illinois, if any, is one of those states. No one doubts that Douglas can poll the largest vote here, of any man, unless it be ABE LINCOLN, and no one doubts that what Lincoln did under all the disadvantages of 1858, he could do easily under the better auspices of 1860. And it would be peculiarly a glory, if on the very ground where Lincoln was cheated out of his election (as Senator) there he should be run again, and should have the glory of defeating Douglas, should he be the opponent. He will thus fight neither with great nor small, but only with the King of the democratic host. Lincoln has every element of popularity and success, and he has one which will give him peculiar prominence over Douglas, and that is his integrity to the great principles which this State, and all the free States are determined shall cut a figure in the next election. *Freedom* v. *Slavery*. We are in no hurry to bring out Mr. Lincoln. He will be thought of in time by all that will need him, if he be the man. But if he shall become the nominnee of the republican hosts, we shall count it a joy to *hoist his name at our mast head*, and to hang the banner on the outer wall of our city and country."

The same paper in its issue of December 15th 1859, under the caption, "*Who is the strongest man?*" after discussing the claims of Mr. Lincoln at length as against Mr. Seward and others, concludes with these truthful and prophetic words:

"And we cannot help thinking how, like a shadow of a great rock in a weary land, such a President will seem, as Abraham Lincoln will make. He will, in his principles and measures, o'er Buchanan, like an eagle soar. Disunion will find him as South Carolina found old Jackson. The slave trade will find him a Wilberforce The army will be used for defence, not offence.

With Lincoln for President, and Cameron, or Reed, or even Thad. Stevens as Vice President, the ticket would sweep the States, as Von Tromp the seas. This is he whom we consider the strongest man, and for whom we would admire to do

Mr. Lincoln was sitting in the office of the *State Journal*, at Springfield. A telegraph wire had been extended to the Wigwam, and the result of every ballot was immediately telegraphed to Springfield.

Soon after the result of the second ballot had been announced, a gentleman entered the office of the *State Journal*, and handed a slip of paper to Mr. Lincoln, on which was his nomination, the result of third ballot. He read the paper in silence, and then announcing the result, he said, amidst the shouts of those persons present, "There is a little woman down at our house, would like to hear this—I'll go down and tell her."

No words can adequately describe the enthusiasm by which this nomination was received in Chicago, Illinois, and throughout the Northwest. A man who had been placed on the top of the Wigwam, to announce to the thousands outside, the progress of the balloting, as soon as the Secretary read the result of the third ballot, shouted to those below, "*Fire the salute*—Lincoln *is nominated!*" The cannon was fired, and before its reverberations died away, a hundred thousand voters of Illinois and the neighboring States, were shouting, screaming, and rejoicing over the result. Hannibal Hamlin, of Maine, was nominated for Vice President. The nomination of Lincoln was hailed with intense enthusiasm, not only by the crowds in attendence, and the Northwest, but this soon extended throughout all the free States. Everywhere the people were full of zeal for the champion from the West. Never did a party enter upon a canvass with more earnest devotion to principle, than the republican party of 1860. Love of country, devotion to liberty, hatred of slavery, pervaded all hearts. A keen sense of the wrongs and outrages inflicted upon the free State-men of Kansas, the violence, and in many instances, the savage cruelty, by which freedom of speech and liberty of the press had been suppressed in portions of the slave States, and indignation at the long catalogue of crimes of the slaveholders, fired

loyal service, should he be the choice of the convention. We are glad Douglas is recovering his health, and we think he will yet live to attend the levee of President LINCOLN.

all hearts with enthusiasm and zeal. Confident of success, and determined to leave nothing undone to secure it, the republican party entered upon the canvass. The great Metropolitan press of New York, the *Tribune*, the *Times*, and the *Post*, circulated everywhere, inciting and urging the people to effort. The leading statesmen of all sections, the Senators and members of Congress, Governors of States, the most eloquent speakers, took the stump for "*Lincoln and Liberty*," and immense crowds at vast out-door meetings hung with wrapt attention on the stirring speeches of the orators. Everywhere throughout the free States, speeches, newspapers, pamphlets, and documents were scattered, urging the people to resist the encroachments of the slave power.

One of the most efficient agencies, and one characteristic of the people and the times, by which the canvass of 1860 was carried on, was an organization of the young men known as the "Wide Awakes." This embodied nearly all the young men of the party, with a semi-military organization, but without arms, wearing glazed caps and capes, and at night carrying torchlights, and ready at all times for work. Turning out at political meetings, escorting speakers to and from the places of speaking, singing patriotic and campaign songs, circulating documents and canvassing votes. In October, 1860, there was a vast gathering of the people of the Northwest at Chicago, to hear Governor Seward and other distinguished speakers, and in the evening, 10,000 *Wide Awakes* marched in procession with their torches. The following extract from a speech delivered to them, will illustrate the spirit of the campaign and the organization:

Gentlemen, Wide-Awakes of the Northwest! Peace hath her victories no less renowned than war. In the great victory of liberty about to be consummated by the election of Abraham Lincoln, your organization, of which I see around me, so magnificent and brilliant an array, is contributing a most important part. Among many features which give to this Presidential contest a peculiar and extraordinary interest, none are more significant than the organization of the *Wide-Awakes*. Your vast association numbering more than half a million, extending from Maine to Minnesota, and penetrating every section of the Republic where free labor is honored, embodies for efficient action, the zeal, enthusiasm, and energy of the young men of our country. * * *

The object of your association is to aid in securing our success at the polls. You have adopted as your motto these words of Jefferson, "*Vigilance*," eternal "*vigilance is the price of liberty.*" Jefferson meant that those who would preserve their liberties, must be "*Wide Awakes.*"

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Our political opponents have charged you with being a military organization in disguise. Let not their hearts be troubled. It is doubtless true that the Wide-Awake organization embodies much of the strength of our citizen soldiers, and it is true that they would rally as soon to crush *domestic treason*, as to repel foreign invasion. But your arms are peaceful; not warlike. Your torches are to light the freeman's pathway to the ballot box, not to the battle-field. Our weapons are ballots not bullets.

It is our adversaries who use the weapons of violence and fraud. They used the bowie-knife of the border-ruffians in Kansas. Their's is the "Lynch-law," and the mob violence which silences the freeman's tongue and shuts the patriot's mouth. They suppress the liberty of speech and the freedom of the press. They threaten to destroy the Union if we take from them the power of prostituting it to the extension of slavery. They knock down Senators for uttering disagreeable truths. They threaten to hang Northern members of Congress, like Hale, and Lovejoy — on the nearest tree. It is the *slave party* which has introduced a "reign of terror," in a large portion of the South. Against all this, we interpose the peaceful agencies of the printing press, the common school, the sermon, the lecture, the railroad, the telegraph, and above all the free, honest ballot.

This peaceful moral conflict, where reason is free to combat wrong and error, is the "*irrepressible conflict*" of the great Senator of New York, (Mr. Seward,) who "is our guest to-day."

The Democratic Convention, as we have stated, had met at Charleston, South Carolina, in April, 1860 and had split into two parts upon the slavery question. After vainly wrangling over a platform, the delegates from the slave States seceded and organized a separate convention. The Convention itself adjourned to Baltimore, and nominated Stephen A. Douglas for President, and the seceding delegates met at Richmond, Virginia, on the 11th of June, and nominated John C. Breckinridge.

It is now clear that a considerable portion of the seceding delegates had already entered into the conspiracy to destroy the Union. Hence, they desired and promoted the rupture of the Democratic party, and the election of Mr. Lincoln, as an excuse or pretext for promoting their objects.

W. L. Yancey, of Alabama, a leading secessionist, and others, subsequently prominent in the military and civil service of the rebellion, were active leaders in the measures which broke up the convention. The Chicago Convention, while it resolved that Congress ought to prohibit slavery in the territories, distinctly disclaimed any intention to interfere with it in the States. The existence of the conspiracy to destroy the Union, and the participation in that conspiracy by those who procured the nomination of Breckinridge, is established by the fact, that although it was obvious that by their secession from the Charleston Convention and the

nomination of two candidates, Mr. Lincoln's election was rendered morally certain, yet, to place this beyond a doubt, the same organization ran two tickets in the free States, where the great mass of the Democratic party supported Douglas, and the opposition to him was scattering. Thus the Breckinridge leaders deliberately and intentionally secured Lincoln's election.

The great subject in controversy, among the three leading parties, was slavery.

1st. The Republican party held that slavery was *morally wrong* and a great political evil; that it could exist only by virtue of positive local law; and that Congress rightfully could, and ought to prohibit it in all the territories.

2d. The party supporting Breckinridge held that slavery was morally right; and that it legally existed in all the territories, and that neither Congress nor the people of a territory could prohibit it, or interfere with it outside of State lines; and that so long as a territory remained such, slavery had legal existence, and was entitled to protection under the Constitution.

3d. The Douglas party were indifferent whether slavery was "*voted up or down*," but insisted that the people of each territory should decide for themselves whether they would tolerate and protect, or exclude slavery.

One of the most noticeable features of this contest was the personal canvass made by Douglas. He entered upon it with all the vigor and spirit for which he was so distinguished. He spoke in most of the free and many of the slave States.

Mr. Lincoln received large majorities in nearly all the free States. He received 180 electoral votes, and a popular vote of 1,866,452. Douglas received 12 electoral votes, and 1,375,157 of the popular vote. Breckinridge received 72 electoral, and a popular vote of 847,953; and Bell 39 electoral votes, and 570,631 of the popular vote. By the success of Mr. Lincoln, the executive power of the country passed from the hands of slave-holders. They had controlled the government for much the larger portion of the time during which it had existed.

Each decennial census, each new apportionment of members of Congress, in spite of the advantage of the representation of their negroes, had witnessed the gradual passage of political power into the free States. Against this result the slave aristocracy, conscious of their weakness and the wrong of the institution, struggled in vain. The laws of Nature and of God are not more inexorable in their operation than the law that in the race for power, freedom and free labor should outstrip slavery and slave labor. Convinced of this by the logic of the census figures, yet resolved not to yield power, determined not to give up slavery, either to man or God, the slave-holders had deliberately determined, by force and violence, by any means necessary, to extend slavery over all the territories; to seize and appropriate Cuba; to conquer and annex Mexico; and thus secure the means of extending the area of slavery, of controlling the government, and ultimately, to make the States all slave States; or, failing in these plans, to dissolve the Union, and to establish a government based upon slavery. There had long existed at the South an organized conspiracy to accomplish these purposes. They wanted more negroes; and they sought to repeal, and practically disregarded and evaded the law prohibiting the African slave trade. Cargoes of Africans were imported into the cotton States, and, although by law it was piracy, there were no prosecutions therefor.

To an intelligent understanding of the events preceding the rebellion, and during its progress, the existence of this wide spread, thoroughly organized, secret conspiracy must be understood. A secret organization, known as the "Order of the Lone Star," was well known previous to, and at the time of the annexation of Texas. Its ostensible, and one of its real objects was the acquisition of Cuba. It finally merged into a secret band of confederates, extending through several States, with the distinct and definite purpose of overthrowing the Federal Government in the slave States, and establishing a confederacy based upon slavery. The election of Mr. Lincoln was a triumph, in a direct contest, between the slave aristocracy and democracy; between the friends of slavery and those who regarded it as a great moral,

social and political evil, and who meant to exclude it by prohibition, from all the territories, and to use all legal and constitutional means to restrain and weaken its power. It was essentially a contest between democracy and aristocracy; between the civilization of free labor and the barbarism of slavery. In the light of to-day, it is clear that the leaders of the slave party plunged the country into war, believing they could, thereby, save the institution from the destruction threatened by the rapid and irresistible growth of the free States.

Nineteen centuries ago, upon the mountains of Judea, the great principle upon which our Republic was formed, the common Father and the universal brotherhood of man, was taught by the Son of God. This great, christian principle, the germ of liberty regulated by law, after contending against all forms of civil and religious despotism through so many centuries, was distinctly and authoritatively announced by the Fathers of the Republic, on the 4th of July, 1776, when they proclaimed, in the Declaration of Independence, "that all men are created equal, and that they are endowed by their Creator with certain inalienable rights," and that "among these are life, liberty, and the pursuit of happiness."

Thomas Jefferson, the Virginia democrat, in the conception of that instrument, struck the key-note of christian liberty. He announced a principle antagonistic to human slavery; and in making it the basis, the corner-stone of our political structure, hastened the "irrepressible conflict," which triumphed at the ballot-box in 1860.

Mr. Lincoln had ever, in all his public addresses, in his debates with Douglas, made that declaration his platform; and he, in his personal and political character, illustrated its grand ideas. He honestly and heartily believed in it. The slave power instinctively felt that the end of slavery was a mere question of time Rather than yield, the slave aristocracy determined to "take up" the sword, and hence the terrible civil war. Slavery was the rebel, and the government, in the end, could do no less than make it an outlaw.

It was apparent that there was a party in nearly all the slave-holding States who hated the Union, and sighed for a

purely slave-holding confederacy. These men had for years denounced the Declaration of Independence. They were proud and aristocratic, accustomed to rule negroes at home, and to govern Congress. Jefferson Davis declared, in 1858, that in the event of the election of an abolition president, Mississippi must seek her safety outside of the Union.

The proud, overbearing aristocracy of the slave States, grown wealthy by the labor of slaves, accustomed to power, ridiculed labor, and affected great contempt for Lincoln as a laborer. They were the men who regarded the free, moral, intelligent laborers of the free States as the "mudsills" of society. They affected to believe the condition of four millions of slaves, without education, without marriage, without family, without a home, and holding chastity, life, children, everything,at the will of a licentious overseer and master, was a better system than the educated, happy, moral, free-labor democracies of the North, with their free schools, and churches, and families of industry, thrift, intelligence and domestic virtue. Such men scorned the idea of submitting to be governed by this "mudsill," this "plebian," as they called Abraham Lincoln. They rejoiced in his election, as furnishing an opportunity for disunion, and as a means of creating a public sentiment which would enable them to precipitate secession. Hence his election was hailed in many slaves States with acclamations. Immediately, when the result was known, the leading traitors sent dispatches from one slave State to another, encouraging and threatening rebellion. The Charleston *Mercury* said the news of Mr. Lincoln's election was hailed with long continued cheers for the Southern Confederacy. Military organizations were rapidly formed in nearly all the slave States. There was scarcely a hamlet in the cotton States that had not its squad of mounted men or infantry. In cities, towns and villages, they were drilling every night, and preparing for war. Dispatches were sent from Virginia and other States to South Carolina, tendering volunteer soldiers and arms. It was expected that South Carolina would take the lead, and many towns and cities sent messages, breathing the same spirit as

that of Governor Perry, of Florida, to Governor Gist, of South Carolina: "Florida is with the gallant Palmetto Flag."

On the 25th of October, a meeting had been held at the house of Senator Hammond, of South Carolina, at which the Congressional delegation of that State, Governor Gist and ex-Speaker Orr were present: it was resolved that South Carolina should secede, in the event of Mr. Lincoln's election. Meetings, in furtherance of the object, were held in Georgia, Alabama, Mississippi, and other slave States. In November, South Carolina authorized the immediate enrollment of 10,000 volunteers. In the same month Georgia appropriated one million of dollars to arm and equip that State. Conventions, preparatory to the adoption of ordinances of secession, were called in South Carolina, Georgia, Alabama, Mississippi and Virginia.

For years the fatal heresy had been taught by southern men, that the citizen owed his primary allegiance to his State, and not to the nation; disregarding that clause in the Constitution of the United States which declares that the Constitution and laws, made in pursuance thereof, are the supreme law of the land, anything in the laws and constitution of any State to the contrary notwithstanding.* John C. Calhoun had prostituted his great talents to the inculcation of this heresy. Hence, many honest people were deceived, and, forgetting they were citizens of the Republic, only remembered they were South Carolinians and Virginians. This carried into the rebellion many honest and well-meaning persons.

Calhoun, who had so industriously sown the seed and nurtured the plant of secession, said, in 1812, to Commodore Charles Stewart:

It is through our affiliation with this (the Democratic) party in the middle and and western States, that we hold power. But when we cease thus to control the

* In 1865, a prominent citizen of South Carolina, coming to Washington to beg pardon for his treason, said to a member of the Cabinet:

"We went to war for two objects: *First*, To establish the *perpetuity of Slavery; Second*, To establish the position that a State is superior to the United States."

In other words, the slave-holders went to war to perpetuate a great wrong, and to establish that a *part* is greater than the *whole*.

nation, through a disjointed Democracy, or any material obstacle in that party, which shall tend to throw us out of the rule and control, we shall then resort to a dissolution of the Union.

On the 7th of November, 1860, it was known throughout the Republic that Lincoln was elected. He could not be inaugurated until the 4th of March following. For these four eventful months the conspirators had control of the Federal government. Buchanan, a weak, imbecile, if not a treacherous, old man, was President, and he was completely controlled by the traitors in his Cabinet and the conspirators in the Senate. Mr. Memminger, of South Carolina, afterwards the rebel Secretary of the Treasury, stated that "Buchanan being President, the Federal government would be taken at great disadvantage, and that they had prepared things so that Lincoln would, for a while, be powerless." Buchanan's cabinet was (a majority of them) a cabinet of conspirators, industriously laboring to disarm and dismantle the ship of state, that they might surrender it an easy conquest to the traitors preparing to seize it. Howell Cobb, of Georgia, afterwards a rebel general, was Secretary of the Treasury, and managed to shake the credit of the nation, and leave the treasury empty.

Jacob Thompson, of Mississippi, afterwards a rebel, was Secretary of the Interior; as a member of Buchanan's cabinet, hearing that the Union garrison, starving at Fort Sumpter was to be supplied with provisions, he traitorously sent a dispatch to Charleston, advising his co-conspirators of the fact, so that the flag of his country might be fired upon, and the garrison of the government of which he was a cabinet officer, might be starved into surrender. This *chivalric* son of the South says:

I sent a dispatch to Judge Longstreet, that the *Star of the West* was coming with re-enforcements. The State troops were then put on their guard, and when the *Star of the West* arrived, she received a warm reception from booming cannon, and soon beat a retreat.

John B. Floyd (the same who, at Fort Donelson, was so conscious of his guilt, that he dared not, as a rebel general, surrender to General Grant), was Secretary of War. It was important to the Confederates that the slave States should be

armed, and the free States disarmed; and that the little regular army of the United States should be sent so far away as not to be in reach of the government until the conspiracy had accomplished the revolution they had designed. Hence, Floyd, as Secretary of War, ordered 115,000 muskets, from the Springfield and Watervliet manufactories and arsenals, to be sent to the arsenals in the slave States. He also sent a vast number of cannon, mortars, ammunition and munitions of war to the South. He took care, not only that Southern arsenals should be stocked with vast supplies of arms and other munitions of war, but that the garrisons of Southern forts and arsenals should be so weakened that no effectual resistance could be made to the local militia's seizing them.

The valuable Arsenal of Fayetteville, North Carolina, was garrisoned by one company of troops; Fort Moultrie, in Charleston harbor, by eighty men; Key-West, the key to the Gulf of Mexico, by one company; while the United States Mint at New Orleans, the Custom Houses at New Orleans, Charleston, Mobile, and Savannah, were entirely unguarded.

Such were the bold and unscrupulous acts of the conspirators. It was the intention of some of them to prevent the inauguration of Lincoln; to prepare the way to surrender the capitol and archives to the rebels; and this purpose would have been accomplished, but for the vigilant eye of the venerable hero, General Scott.

CHAPTER VII.

PROGRESS OF THE CONSPIRACY—FROM THE ELECTION OF LINCOLN TO HIS ARRIVAL AT WASHINGTON, FEBRUARY 1861.

THE CONSPIRACY EXTENDING—ADMINISTRATION OF BUCHANAN—GENERAL SCOTT—GENERAL CASS—ACTION OF CONGRESS IN WINTER OF 1860–61—COMMITTEE OF THIRTY-THREE—PEACE CONVENTION—REPORT OF ADAMS—SECRET MEETINGS OF CONSPIRATORS AT THE CAPITOL—SEVEN STATES SECEDE, AND ORGANIZE A PROVISIONAL GOVERNMENT—JEFFERSON DAVIS—REBELLION WITHOUT EXCUSE—SLAVERY, THE CORNER-STONE OF THE CONFEDERACY—COUNTING ELECTORAL VOTES BY CONGRESS—LINCOLN LEAVES SPRINGFIELD FOR WASHINGTON—HIS JOURNEY—ASSASSINATION PLOT—HIS ARRIVAL.

WHILE the organization and proportions of this widely extended conspiracy were boldly and defiantly exhibited, and daily becoming more and more formidable, the attention of the whole country was fixed upon President Buchanan. Would he, like Jackson in 1832, declare "by the Eternal, the Union shall be preserved!" Would he prepare to meet force by force? Would he send the veteran Scott to South Carolina, and elsewhere, to protect National property, execute the laws, and maintain national supremacy? Scott had pointed out the danger, and urged and implored that vigorous means might be taken to maintain the national authority.

Buchanan, either traitorously, or through weakness, which, in its results, was equivalent to treason, took no steps to maintain the Union, but was wax, or clay, in the hands of Messrs. Davis, Howell Cobb, Thompson, Floyd, and their associates. He even went so far as to promise the Confederates that no reënforcements should be sent to the garrisons in Southern

forts. With this assurance, the leaders of the conspiracy went forward in their guilty preparations with impunity. It is probable that, with a loyal, energetic President like Jackson, with the aid of Scott, the conspiracy might have been crushed in its inception.

There was, in the border States, a clear majority for the Union, and, in the gulf States, a considerable portion of the people were opposed to secession; but, receiving no aid, no encouragement, and no protection from the executive or his subordinates; seeing the cabinet, and nearly all Federal office-holders in the slave States actively promoting disunion, unchecked and unrebuked, and the secessionists everywhere open, bold and defiant, the Union men yielded to the threats and terror of the active, energetic, unscrupulous conspirators, and made little resistance to the current of popular excitement which was sweeping on towards civil war.

The candid world will ever hold the administration of Buchanan responsible for this neglect to crush the rebellion in its beginning.

Floyd, having finished the work of treason as Secretary of War, fled South, to meet the applause of the conspirators for his perfidy, and to exchange the portfolio of War Secretary of the Republic, for a commission in the rebel army.

Isaac Toucey, of Connecticut, more infamous, if possible, than even Floyd, did the same for the navy that Floyd did for the army. He scattered the vessels of war beyond seas, and placed the naval force out of the reach of the government.

It appears, from an official report made to Congress, that it was in the power of the Secretary of the Navy to have stationed a naval force, adequate to the protection of all the rights and property of the government, at exposed points; but instead of doing so, the Secretary sent the vessels of war abroad, without justification or excuse. A committee of Congress also found him guilty of accepting resignations of officers of the navy who were in arms against their flag, and of others who sought thus to dispose of their commissions under the United States, to accept service from its enemy.*

* See report of Secretary of Navy, July, 1861, and report of Naval Committee.

Thus the right arm of the government was dispoiled of its weapons—the army and navy. The treasury was plundered, and the national credit shaken, for the benefit, and in aid of the purposes of treason. But for the resolute energy of General Scott, the purpose of the conspirators to prevent the inauguration of Lincoln, and to obtain possession of the capitol and its archives, would have succeeded.

As early as October, 1860, General Scott warned President Buchanan of the danger that the conspirators would seize Forts Jackson and St. Phillip, guarding the entrance to the Mississippi, (which Admiral Farragut, subsequently, so gallantly retook), and which were then without garrison; Forts McRea and Pickens, in Pensacola Harbor, with an inefficient garrison; Fort Pulaski, Georgia, without a garrison; Forts Moultrie and Sumpter, Charleston, the latter without a garrison, and the former with only eighty men; Fortress Monroe without a sufficient garrison. He also recommended that all should be so garrisoned, as to render an attempt to take them by surprise, hopeless. He closed his timely and patriotic letter with the declaration that, "with the army faithful to its allegiance, and the navy probably equally so; and with a Federal Executive, for the next twelve months, of firmness and moderation, there is good reason to hope that the danger from secession may be made to pass away, without one conflict of arms, one execution, or one arrest for treason." The honest old hero could not conceive that treason had entered the very highest departments of government, and that the heads of the army and navy were, at that moment, *from their official desks*, conspiring for the overthrow of the government. The officers of the army and navy had been, many of them, seduced from their allegiance, and were ready to desert their flag.

On the 14th of December, General Cass, a patriot, resigned the office of Secretary of State, because the President refused to reinforce the forts in the harbor of Charleston. Scott urged the Secretary of War to warn the garrisons against surprise. His warnings and importunities to garrison the forts were again repeated; but traitors in the Cabinet, and dotage and weakness, approaching imbecility, or treason, in

the Executive, prevented any attention being paid to his earnest and repeated applications. Time verified, and more than realized, his predictions. That which he so confidently expected to find, and the absence of which he could scarcely conceive, *fidelity to the flag* in the army and navy, was, to a lamentable extent, wanting. The treachery in the Cabinet extended largely among officers born at the South, both in the army and navy. All the fortresses and forts named, were seized by the rebels, except Fortress Monroe.

The rebellion was not the result of impulse, but, as has been previously stated, a deliberately planned movement. In October, 1856, a meeting of the governors of slave States was held at Raleigh, North Carolina, convened at the instance of Governor Wise, who afterwards proclaimed, that if Fremont had been elected, he would have marched to Washington, at the head of 20,000 men, and prevented his inauguration.

Mr. Keitt, member of Congress from South Carolina, said, in the convention of his State, which adopted the ordinance of secession: "I have been engaged in this movement ever since I entered political life."

Mr. Rhett said: "The secession of South Carolina is not the event of a day. It is not anything produced by Mr. Lincoln's election, or the non-enforcement of the fugitive slave law. It is a matter that has been gathering head for thirty years."

The Provisional Governor of South Carolina, Mr. Perry, appointed by President Johnson, said, in a public speech, in July, 1865:

We were, at the time of secession, the most prosperous, free and happy people on the face of the earth. The sun had never shone on a nation or empire whose future was more bright and glorious. But the public mind had, unfortunately, been prepared, in the southern States for thirty years past for an effort at disunion. The people had been induced to believe that disunion would be a great blessing, and that it might come without war and bloodshed! The leading politicians at the South were anxiously waiting for some plausible pretext for seceding from the Union. * * * * * * * * * * * * * * *

The so-called "*rights of the South*" were in no possible danger from Mr. Lincoln, even had he been disposed to interfere with them. There was, at that time, a majority of twenty-seven in the House of Representatives, politically opposed to him. There was a majority, in the Senate, of six against him. A majority of the Supreme Court were opposed to the principles of the Republican party. Lincoln was, therefore, in a minority in both houses of Congress, and on the bench of the Supreme Court; and a large majority of the people had supported others for the presidency. He was powerless to injure the slave States.

Notwithstanding the overwhelming evidence of the existence of a wide-spread, long planned conspiracy to dissolve the Union, evidence which could be accumulated to almost any extent, the people of the North were slow to believe that those who threatened, were really in earnest; equally slow to believe the leaders were unappeasable, and, being themselves unwilling to resort to force, they were ready to yield almost everything to secure harmony. The conspirators, and those who were made to sympathize with alleged Southern wrongs, were misled and encouraged by the idea, too generally expressed by Northern democratic politicians, and the democratic press, that the South was right, and really suffered real wrongs; and that the South had a right to secede, and should be met by conciliation, concession and compromise.

Mr. Johnson, a prominent politician of central New York, said, at a State convention held at Albany, on the 31st of January, 1861: "The will of a large portion of the citizens of this State is against any armed coercion to restore the Union by civil war. If Congress and our States cannot win back our southern brethren, let us, at least, part as friends."

Leading democrats proclaimed: Union by compromise, or peaceable separation.

Some of the conspirators were led to believe, from the expressions of the press and politicians, that either there would be no attempt at coercion, or, if there should be, the Democrats would be found on the side of the seceding States.

At the opening of the second session of the Thirty-sixth Congress, President Buchanan said, in substance, that while no State had a right to secede, the Federal Government could not coerce a sovereign State. He told the conspirators they had no right to secede, but if they did, he could not prevent it. This was all they wanted. They were bold, unscrupulous, determined men, with well defined purposes. Buchanan urged that the Union was not to be preserved by force, but by compromise. In other words we had no government. The Union was an association, to exist as long as the States found it agreeable. The Government, according to Buchanan, was mere moral suasion — without authority. Had he

announced with dignity, decision, and power, that the Government was the majesty of authority, armed with power, and in its right hand the sword to compel obedience, he could have enforced submission, and maintained National authority. His message greatly encouraged and emboldened the conspirators. It was referred by the House to a Select Committee of one from each State, of which Mr. Corwin, of Ohio, was Chairman, to report measures of pacification. But Mr. Iverson, Senator from Georgia, expressed the animus of the conspirators, when he exclaimed: "Gentlemen talk of concession, the repeal of personal liberty bills! Repeal them all to-morrow, and you cannot stop the revolution. *There will be no war!*" said he.

Ben. Wade, Senator from Ohio, staunch, fearless, blunt, and honest, in the face of the conspirators and compromisers, said: "We will prohibit slavery from invading another inch of the free soil of the United States. I will stand by this principle. We pretend to no right to interfere with your '*institution*' in your States, but we beat you on the plainest and most palpable principle ever presented to the American people, and now we tell you plainly, our candidate shall be inaugurated, and shall administer the Government."

A committee of thirteen in the Senate had been raised to report measures of pacification. This committee, and Mr. Corwin's committee of thirty-three in the House, reported and discussed various propositions of compromise. Many of these propositions offered by way of concession by Northern members, were voted down by the conspirators. It was clear they did not wish compromise measures to succeed. They so conducted matters as to throw odium on the North, and consolidate and unite public sentiment at the South in favor of secession.

To avert the threatening dangers, the "*Peace Convention*," was called at Washington. This was a convention of delegates from nearly all the free States, and several of the slave States, to consult and see on what terms the disaffected, and traitorous, could be induced to abandon their purposes. There were, as we have seen, many at the North who believed the secession movement was only a "strike" for additional

guarantees for slavery. It had become a settled custom of the slaveholders, whenever they wished to carry a point, to threaten to dissolve the Union. They had demanded Louisiana, and it had been purchased for them; Florida, and it was obtained; Texas, and it was annexed; a more stringent and humiliating fugitive slave law, and it was passed; the repeal of the Missouri Compromise, and it was repealed; the Dred Scott decision, and it was decided that a negro had "no rights." Thus, they had become arrogant, because their demands, backed by threats, had been so long yielded to. Many believed that by adding new concessions, the slave power might be pacified. But, when liberal concessions were voted down by the conspirators themselves, it became evident that they had deliberately resolved to force an issue, and go out of the Union. Charles Francis Adams, from the House Committee of thirty-three, reported, "that no form of adjustment will be satisfactory to the recusant States, which does not incorporate into the Constitution of the United States, an obligation to protect and extend slavery. On this condition, and on this alone, will they consent to withdraw their opposition to the recognition of the Constitutional election of the Chief Magistrate. Viewing the matter in this light, it seems unadvisable to attempt to proceed a step further in the way of offering unacceptable propositions." It was clear the conspirators had resolved on revolution.

While these movements of the traitors were going on in the cotton States, and State after State was passing ordinances of secession, the conspirators at Washington, held their secret meetings, and leading Senators and members, acting in concert with traitors in the Cabinet, so managed as to thwart all the movements of General Scott, and to paralize the action of such few faithful officers as sought to preserve the Union.

There was a meeting held at the Capital on the night of January 5th, at which Jefferson Davis, Senators Toombs, Iverson, Slidell, Benjamin, Wigfall, and other leading conspirators were present. They resolved in secret conclave to precipitate secession and disunion as soon as possible, and at the same time, that Senators and members of the House

should remain in their seats at the Capitol, as long as possible, to watch and control the action of the Executive, and thwart, and defeat any hostile measure proposed.

In accordance with concerted plans, some of the Senators and members, as the States they represented passed ordinances of secession, retired from the Senate and House of Representatives. Some went forth breathing war and vengeance, others expressing deep feeling and regret. Nearly all were careful to draw their pay, stationery, and documents, and their mileage home from the treasury of the Government, they went home avowedly to overthrow.

There were two honorable exceptions among the representatives from the Gulf States, Mr. *Bouligny*, representative from New Orleans, and *Andrew J. Hamilton*, from Texas. They remained true to the Union.

On the evening of the 3d of March, 1861, when the Thirty-sixth Congress was about to expire, Hamilton, when bidding farewell to his associates said, "*I am going home to Texas, and I shall stand by the old flag, as long as there is a shred of it left as big as my hand.*"

Nobly, bravely, has he redeemed that pledge. He stood by the flag through all the perils of the war, and as Provincial Governor of Texas, he has aided in the restoration of that Union to which he was ever steadfast and true.

The absence of declaratory laws by Congress, had been much relied upon by Mr. Buchanan's Attorney General, Mr. Black, in his labored argument to show that the Executive had no power to coerce States.

In accordance with the programme of the conspirators, South Carolina, had adopted the ordinance of secession, on the 17th of November, 1860; Mississippi, January 9th, 1861; Georgia, January 19th; Florida, January 10th; Alabama, January 11th; Louisiana, January 25th, and Texas, February 1st.*

These seven seceding States, appointed delegates to meet in convention, at Montgomery, Alabama. They met on the 4th of February, and organized a Provisional Government,

*McPherson's History, p. 2 and 3.

similar in many respects, to the Constitution of the United States; under which Jefferson Davis was made President, and Alexander H. Stephens, Vice President.

The President of the Confederate States, was a man of culture and large experience in public affairs. Born in Kentucky, educated at West Point, at the expense of the Government he sought to overthrow, he entered public life as the follower of Calhoun. He was of an imperious temper, and of a most intense personal ambition. He favored the repudiation by the State of Mississippi, of the bonds issued by that State, and thus brought deep disgrace upon the American character. He was called to the position of Secretary of War by President Pierce, and in that position he deliberately conducted the affairs of the War Department with a view to strengthen the slave States, preparatory to a separation, and for war, if necessary, to secure separation. As the head of the insurgents at Montgomery, he was guilty of opening the bloody tragedy of civil war, by ordering the fire upon Fort Sumpter. The character of the man may be inferred from the language he used in a speech on his way from Mississippi to Montgomery, to assume the Presidency. "We will carry the war," said he, "where it is easy to advance, where food for the *sword* and *torch* await our armies in the densely populated cities." Such *was* the war this man inaugurated and carried on until his ignominious capture. How different this from the forbearing, dignified, christian spirit of magnanimity which ever characterized the language of the Chief Magistrate of the Union during the war.

Davis used the language of the incendiary and conspirator, while Lincoln was ever the dignified and scrupulous Chief Magistrate. With him, it was always, "with malice towards none, with charity for all, with firmness in the right as God gives us to see the right," that he discharged his duty.

The atrocities of the war, the treatment of prisoners, the the massacre of Negro soldiers, and the catalogue of barbarities down to the fiend-like assassination of Lincoln, were but the exhibition of the same spirit, which, on the very threshhold indicated the torch, and the densely populated Northern cities as its food.

The spirit of Davis thus announced, in the beginning of the war, was the spirit of the slaveholder, and characterized the leaders of the slaveholders rebellion.

The well-meaning and ignorant masses of the people in the seceding States, were deceived. Upon the heads of their leaders and teachers is the guilt, and upon the institution which produced such men, be the infamy.

The Vice President, Alexander H. Stephens, was a very different character. Intellectually an abler, and morally, a far better man, he had vigorously opposed secession, and never heartily approved it.

Meanwhile, the conspirators having tied up the hands of the Executive by obtaining a promise from him not to reinforce the feeble garrisons in the Southern forts, and having adroitly secured the written opinion of his Attorney General endorsed by the official declaration of the President, that he had no power to coerce a State, adopted the most efficient means to carry out their purposes. The President was constantly watched by the conspirators and their agents, that he might not be induced to change his mind. A portion of his cabinet and some of his political friends chafed under the course he had adopted. General Cass, as has been stated, resigned the position of Secretary of State, because he refused to reinforce Fort Moultrie, held by the gallant and faithful Major Anderson, who had been assigned by Scott, to command that important position.

On the 10th of December, Howell Cobb resigned his position of Secretary of the Treasury, because, as he alleged, "his duty to Georgia required it." He was succeeded first by Philip F. Thomas, a devoted Unionist, from Maryland, and afterwards by General Dix, of New York.

On the 26th of January, John B. Floyd resigned the position of Secretary of War, because Buchanan would not withdraw the few troops, there were left in the National forts of South Carolina. He was succeeded by the true and loyal Joseph Holt, of Kentucky.

On the 17th of December, Attorney General Black resigned the position of Attorney General, and was succeeded by Edwin M. Stanton. Stanton, Dix, and Holt, were unflinching Union

men, and did what they could to prevent the surrender of the Government to the conspirators. They most efficiently aided General Scott in securing the peaceful inauguration of President Lincoln.

The strange spectacle was presented, that while the conspirators were boldly, and with little disguise, hatching their schemes of breaking up the Government, in the Senate and in the House, at the War and Navy Departments, and in the very cabinet of the Executive, no attempt was made to interfere with, much less arrest the known, open and avowed traitors. All that the feeble man in the Executive Chair did, was to appoint a day of fasting, humiliation and prayer; and declare, that though secession was wrong, he had no power to prevent it. The conspirators labored industriously to make the revolution an accomplished fact before the inauguration of Mr. Lincoln. They were active in plundering the Government, securing the forts, ordinance, arms and all material of war, and arming themselves, so that if Lincoln should be inaugurated, he would have no immediate means of coercion.

The absence of any grievance or excuse for the rebellion, will be apparent from two or three facts.

The slaveholders and their friends, had at that time, a working majority in both Houses of Congress; and they had controlled both Congress and the Executive, and dictated the policy of the Government for more than forty years. This truth is very strikingly presented by Alexander H. Stephens, the ablest among the conspirators, in a speech made on the 14th of November, 1860, when opposing secession before the Legislature of Georgia. He said:

> Mr. Lincoln can do nothing unless he is backed by the power of Congress. The House of Representatives is largely in majority against him. In the Senate he is powerless. There will be a majority of four against him. * * *
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> "Many of us," said he, "have sworn to support the Constitution. Can we, for the mere election of a man to the Presidency, and that too, in accordance with the forms of the Constitution, make a point of resistance without becoming the breakers of that same instrument?"

The same man afterwards, frankly and distinctly announced that *slavery*, the security of slavery, was the object of the revolution, and that that institution should be the "*corner stone*" of the Confederate Government.

While these various movements were going on, Lincoln remained at his home in Springfield, Illinois, a deeply anxious, yet hopeful spectator. The greatest solicitude was manifested North and South, to learn his views, and ascertain his policy. In November, he visited Chicago, and expressed to his friends, the deepest concern in regard to the movements of South Carolina, and other States, threatening revolution. The impression he made upon all who approached him was, that he was direct, truthful, and sincere, with a heart full of good nature and kindness, yielding to his friends in all matters, except those which involved principle, but upon such questions, inflexibly firm. He expressed strong hopes, that notwithstanding the intense excitement, he might be able to quiet the storm, and restore tranquility without war. To an inquiry made to one of his intimate friends, as to what kind of a man is Lincoln? the reply was, "He has the firmness, without the temper of Jackson."

No one will ever forget the dark and threatening aspect of affairs which lowered upon the country during the winter of 1860–61. What a horrid nightmare were the long days of that winter, in which patriots could see conspirators plotting, traitors plundering the treasury, dispersing the soldiers of the Republic, and sending its armed ships abroad, and already stripping the arsenals; the dark and awful tornado coming, and the rebels preparing to scuttle the ship of State, after having plundered her of money and arms, and these very conspirators her chief officers, and the people passengers, with no power to interfere! How anxiously the people watched and waited, how earnestly they prayed for the 4th of March, none will ever forget. All eyes were turned to Lincoln as to the only man who could save his country from the clutches of the conspirators.

That was a strange spectacle — an hour of awful suspense, the 15th of February, 1861, when the electoral votes were counted in joint session of both houses of Congress. Breckinridge, the Vice President, presided. Fears were entertained that by some fraud or violence, the ceremony would be interrupted or not performed. But the schemes of the conspirators were not yet ripe for violence. In pursuance of

the Constitution and the forms of established law, both houses of Congress met at 12 M., in the gorgeous hall of the House of Representatives. In such joint session, the Vice President and Speaker, sit side by side, the Vice President presiding. The Chaplain of the House, as well as the crowds of people who had thronged to the Capitol, seemed impressed with the peculiarly solemn character of the proceedings. He invoked God's blessing and protection upon the President elect, prayed for his safe arrival at the Capital, and that he might be peaceably inaugurated; (thus exhibiting the anxiety of the public mind upon the subject.)

The two most conspicuous personages present, were the Vice President, Breckinridge, and Douglas; both unsuccessful candidates for the Presidency. Breckinridge received seventy-two electoral votes, and Douglas only twelve, although he was second to Lincoln only, in the popular vote.

On the 11th of February, Mr. Lincoln left his home at Springfield for Washington.

His journey to the Capital was all the way through crowds of anxious, religious, and patriotic men, everywhere invoking upon him, the blessing, the guidance, and protection of Almighty God.

How deeply he himself felt, and how oppressively he realized the weighty responsibilities resting upon him, appears from the beautiful and touching speech he made to his immediate friends and neighbors from the platform of the rail-car, when about to start, and bidding good-by to that home to which he was destined never again to return alive. There is not a more touching and sublime speech in our language than this. Said he:

MY FRIENDS: No one, not in my position, can realize the sadness I feel at this parting. To this people I owe all that I am. Here I have lived more than a quarter of a century. Here my children were born, and here one of them lies buried. I know not how soon I shall see you again. I go to assume a task more difficult than that which has devolved upon any other man since the days of Washington. He never would have succeeded except for the aid of Divine Providence, upon which he at all times relied. I feel that I cannot succeed without the same Divine blessing which sustained him; and on the same Almighty Being I place my reliance for support. And I hope you, my friends, will all pray that I may receive that Divine assistance, without which I cannot succeed, but with which success is certain. Again, I bid you all an affectionate farewell.

The deep, religious feeling which pervades this speech, marked him to the close of his life. All through his troubles he earnestly solicited the prayers of the people, and they were his. From the time of his departure from Springfield, until he was borne back from the Capital which he had saved, —hallowed forever in the hearts of a people whom he had delivered, and Deified by a race which he had emancipated,— he was the object of earnest prayer at the family altar, and in the house of public worship, from Maine and Minnesota to the Ohio and the mountains of Tennessee; from the great lakes to the ocean bounds of the Republic. Every loyal heart asked God's blessing upon "Honest Old Abe."

As he went forth upon his mission to fill his grand destiny, and to his final martyrdom, every where the hearts of the people went out to meet him. Their feelings found expression in the mottoes inscribed upon the banners under which he was to pass: "We will pray for you." "God bless you!" "God aid you!" "God help you to save the Republic." On one of the draped banners, which followed him to his grave in Springfield, was a motto which truthfully expressed the sentiment of the whole American People:

> He left us, borne up by our prayers;
> He returns, embalmed in our tears.

He passed through the great States of Indiana, Ohio, New York, New Jersey, and Pennsylvania, on his way to the Capital.

From the date of the election, to the time when Mr. Lincoln left Springfield for Washington, there had appeared, through the press, and by other channels, vulgar threats and menaces that he should never reach the Capital alive. Little attention was paid to them; yet some of Mr. Lincoln's personal friends in Illinois, without his knowledge, employed a detective, and sent him to Washington and Baltimore to investigate. This detective ascertained the existence of a plot to assassinate the President elect, as he passed through Baltimore. The first intelligence Mr. Lincoln had of this was at Philadelphia. After the ceremonies of the day, he was called to the room of Mr. Judd, a devoted friend, who had

accompanied him from Illinois, and the facts laid before him. He was urged to start at once for Washington, taking the train that night, by which he would reach the Capital early the following morning; and thus he would pass through Baltimore in the night, and two days earlier than the conspirators anticipated, and so avoid the danger. He had appointments to meet the citizens of Philadelphia at Independence Hall, and the Legislature of Pennsylvania at Harrisburg. He therefore declined starting for Washington that night, but was finally persuaded to allow his friends to arrange for him to return to Philadelphia, and go to Washington the evening after the ceremonies at Harrisburg. On the next day, the 22d of February, Mr. Lincoln visited the old Independence Hall, where the Congress of the Revolution adopted, amidst the most solemn deliberation and grave debate, the Declaration of Independence. This had ever been the Bible of Mr. Lincoln's political faith. However others might differ, he believed, with his whole heart, in the Declaration of Independence. It was to him no tissue of "glittering generalities," but he gave to it an honest, hearty homage and reverence. He made the following speech on the occasion. He said:

> All the political sentiments I entertain have been drawn, so far as I have been able to draw them, from the sentiments which originated in, and were given to the world from this hall. I never had a feeling, politically, that did not spring from the sentiments embodied in the Declaration of Independence.
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> It was not the mere matter of the separation of the colonies from the motherland, but that *sentiment* in the Declaration of Independence which gave liberty, not alone to the people of this country, but, I hope, to the world for all future time. It was that which gave promise that, in due time, the weight would be lifted from the shoulders of men. This is the sentiment embodied in the Declaration of Independence. Now, my friends, can this country be saved upon that basis? If it can, I will consider myself one of the happiest men in the world, if I can help to save it. If it cannot be saved upon that principle, it will be truly awful! But if this country cannot be saved without giving up the principle, I was about to say, "*I would rather be assassinated on the spot*, than surrender it." * * * * *
>
> I have said nothing but what I am willing to live by, and if it be the pleasure of Almighty God, to die by.

The allusion to the assassination was not accidental. The subject had been brought to his attention in such a way that, although he did not feel there was serious danger, yet he had just been assured positively, by a detective, whose veracity

his friends vouched for, that a secret conspiracy was organized, at a neighboring city, to take his life on his way to the Capital.

He went to Harrisburg, according to arrangement; met the Legislature, and retired to his room. Meanwhile, General Scott and Mr. Seward had learned, through other sources, the existence of the plot to assassinate him, and had despatched Mr. F. W. Seward, a son of Senator Seward, to apprise him of the danger.

Information coming to him from both these sources, each independent of the other, induced him to yield to the wishes of his friends, and anticipate his journey to Washington. Besides, from Baltimore there had reached him no committee, either of the municipal authorities or of citizens, to tender him the hospitalities, and to extend to him the courtesies of that city, as had been done by every city through which he had passed. He was persuaded to permit the detective to arrange for his going to Washington that night. The telegraph wires to Baltimore were cut; and, with one friend, wearing, not a Scotch cap, (as alleged by the daily press), but a felt hat, which some friend had presented to him, he arrived at Philadelphia, drove to the Baltimore depot, and the next morning the Capital was startled by the announcement of his arrival.

Mr. Lincoln, long afterwards, declared: "I did not then, nor do I now, believe I should have been assassinated, had I gone through Baltimore, as first contemplated; but I thought it wise to run no risk, where no risk was necessary."*

Those who review the facts, in regard to the conspiracy, in the light of his subsequent assassination, can entertain no doubt, either of the existence of the plot, the fiendish determination of the conspirators, nor that many prominent rebels were knowing and consenting to it. A letter is in existence, from the Governor of a border slave State, written before that date, and in reply to an application for arms, asking whether they would be used "to kill Lincoln and his men?"†

* Stated to the author by Mr. Lincoln, from whom the foregoing facts, in regard to the assassination plot, were obtained.

† It is due to this Governor, to say, that he was subsequently a devoted Unionist, and explained this letter, by stating it to have been a *joke*.

General Scott, Joseph Holt, Secretary of War, Edwin M. Stanton, Attorney General, and others, had made such arrangements as secured his immediate safety. General Sumner, then colonel; General Hunter, then major in the regular army, and other devoted and watchful friends, were around him.

So many of his supporters, from the free States, followed him, that a large body of citizens could have been immediately organized as soldiers, if necessary.

CHAPTER VIII.

LINCOLN IN THE WHITE HOUSE.

LINCOLN'S INAUGURATION AND INAUGURAL — DOUGLAS AND HIS PROPHECY — LINCOLN'S CABINET — CONDITION OF AFFAIRS ON THE 4TH OF MARCH, 1861 — BENJAMIN F. BUTLER'S POSITION — THE "PRODIGAL SON."

MR. Lincoln availed himself of the earliest opportunity, after his arrival at the Capital, to express his kindly feelings to the people of Washington and the Southern States. On the 27th of February, when waited upon by the Mayor and Common Council of Washington, he assured them, and through them the South, that he had no disposition to treat them in any other way than as neighbors, and that he had no disposition to withhold from them any constitutional right. He assured the people that they should have all their rights under the Constitution. "Not grudgingly, but fully and fairly."

On the 4th of March, 1861, Abraham Lincoln was inaugurated President of the United States. An inauguration, so impressive and solemn as this, had not occurred since that of Washington. The ceremonies took place, as usual, at and on the eastern colonnade of the Capitol. General Scott had gathered a few soldiers of the regular army, and had caused to be organized some militia, to preserve peace, order and security.

Thousands of Northern voters thronged the streets of Washington, only a very few of them conscious of the volcano of treason and murder, thinly concealed, around them. The public offices and the departments were full of plotting traitors. Many of the rebel generals, including Lee, the Johnstons, Ewell, Hill, Stewart, Magruder, Pemberton, and others,

held commissions under the government they were about to abandon and betray. Spies were everywhere. The people of Washington were, a large portion of them, in sympathy with the conspirators.

None who witnessed it will ever forget the scene of that inauguration. On the magnificent eastern front of the Capitol, surrounded by the Senate and House of Representatives, the Judges of the Supreme Court, the Diplomatic Corps, the high officers of the Army and the Navy, a vast crowd outside of the guards; a crowd of mingled patriots and traitors; men looking searchingly into the eyes of every stranger, to discover whether he gazed on a traitor or a friend. Standing in the most conspicuous position, amidst scowling traitors, with murder and treason in their hearts, Lincoln was perfectly cool and determined. Near him was President Buchanan, with his white neck-tie, seemingly bowed down with the consciousness of duties unperformed; there were Chief Justice Taney and his associates, who had disgraced American jurisprudence by the Dred Scott decision; there was Chase with his fine and imposing presence; and the venerable Scott, his towering form still unbroken by years; the ever hopeful and philosophical statesman Seward; the scholarly, uncompromising Sumner; blunt Ben. Wade. There were distinguished governors of states, and throngs of eminent men from every section of the Union. But there was no man more observed than the great rival of Mr. Lincoln,—Douglas. He had been most marked and thoughtful in his attentions to the President elect, and now his small but sturdy figure in striking contrast to the towering form of Lincoln, was conspicuous; gracefully extending every courtesy to his successful competitor.* His bold eye, from which flashed energy and determination, was eagerly scanning the crowd, not unconscious it is believed, of the personal danger which encircled the President, and perfectly ready to share it with him. Lincoln's calmness arose from an entire absence of self-consciousness; he was too fully absorbed with the grav-

* The author is here reminded of the following incident: As Mr. Lincoln removed his hat, before commencing the reading of his "Inaugural"—from the proximity of the crowd, he saw nowhere to place it; and Mr. Douglas, by his side, seeing this, instantly extended his hand and held the President's hat while he was occupied in reading the address.

ity of the occasion, and the importance of the events around and before him, to think of himself.

With a voice so clear and distinct that he could be heard by thrice ten thousand men, he read his inaugural address.

This address is so important, and shows so clearly the causelessness of the rebellion, that no apology is offered for the following quotations from it:

"FELLOW CITIZENS OF THE UNITED STATES: In compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the the Constitution of the United States, to be taken by the President "before he enters upon the execution of his office." * * * *

"Apprehension seems to exist, among the people of the Southern States, that by the accession of a Republican administration, their property and their peace and personal security, are to be endangered. There has never been any real cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery, in the states where it now exists. I believe I have no lawful right to do so, and I have no inclination to do so." Those who nominated and elected me, did so with a full knowledge that I had made this and many similar declarations, and have never recanted them. * * * * *

"I now reiterate those sentiments, and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section, are to be in anywise endangered by the now incoming administration. * * *

"I hold, that in contemplation of universal law, and of the Constitution, *the Union of the States is perpetual.* Perpetuity is implied, if not expressed in the fundamental law of all National Governments. * *

"I therefore consider that, in view of the Constitution and the laws, the Union is unbroken, and to the extent of my ability *I shall take care*, as the Constitution itself expressly enjoins upon me, *that the laws of the Union be faithfully executed in all the States.* * * * *

As Mr. Lincoln pronounced the foregoing sentence, with clear, firm and impressive emphasis, a visible sensation ran through the vast audience, and earnest, sober, but hearty cheers from men, who hear boldly expressed a clear duty—but

one involving grave and perhaps perilous consequences were given. He went on:

"In doing this there need be no bloodshed nor violence; and there shall be none, unless it be forced upon the national authority. The power confided to me will be used to hold, and occupy, and possess the property and places belonging to the government, and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States, in any interior locality shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the government, to enforce the exercise of these offices, the attempt to do so would be so irritating, and so nearly impracticable, withal, I deem it better to forego—for the time—the use of such offices. * * * * * *

"Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence, and beyond the reach of each other, but the different parts of our country cannot do this. * * * * * *

"This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise the constitutional right of amending it, or their revolutionary right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the national Constitution amended. * * * * * *

"My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will not be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied, still have the old Constitution unimpaired, and on the sensitive point, the laws of your own framing under it. The new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, christianity, and a firm reliance on Him, who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulties. * * *

"In your hands, my dissatisfied fellow countrymen, and not in mine, are the momentous issues of civil war. The government will not assail you.

"You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government, while I shall have the most solemn one to "preserve, protect, and defend it.

"I am loth to close. We are not enemies, but friends. We must not be enemies—though passion may have strained, it must not break our bonds of affection.

"The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely it will be by the better angels of our nature."

In his own peculiarly clear and simple manner, he vindicates himself and his party from all cause of apprehension on the part of the slaveholding States. He assures the people "that the property, peace, and security of no section, are to be in anywise endangered by the incoming administration." In clear, but most moderate and inoffensive language, he firmly announced his intention to fulfil the sworn duties of his office, by taking care that the laws of the Union shall be executed in all the states. There will be no bloodshed or violence unless it be forced upon the National authority.

His closing appeal against civil war, was most pathetic; and, as he uttered the solemn words, for the first time during the delivery, his voice faltered with emotion. He said:

"In your hands, my dissatisfied fellow countrymen, and not in mine, are the momentous issues of *civil war*. The Government will not assail you. You can have no conflict without being yourselves the aggressors. *You* have no oath registered in Heaven to destroy the Government, while *I* shall have the most solemn one to *preserve, protect, and defend it.* 'I am loth to close,' said he pathetically. We are not *enemies*, but *friends. We must not be enemies.* Though passion may have strained, it must not break our bonds of affection.

"The mystic cords of memory, stretching from every battle-field and patriot grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature."

Alas! such appeals were received by the parties to whom they were addressed, with jeers, and ribaldry, and all the maddening passions which riot in blood and war. It was to *force* only, stern, unflinching power and severity, that the powers and passions of treason alone would yield.

With reverent look and impressive emphasis, he then repeated the oath to preserve, protect, and defend the Constitution of his country. Douglas, who knew from his personal familiarity with the conspirators, better than Lincoln, the dangers that surrounded and were before him, who knew the conspirators and their plots, with patriotic magnamity, which in love of country, forgot self — then grasped the hand of the President, gracefully expressed his congratulations, and the author has reason to believe, expressed the assurance that in the dark future he would stand by him, and give to him his utmost aid in upholding the Constitution, and enforcing the laws of his country. Nobly did Douglas redeem that pledge.

Here the author pauses a moment, to relate a most singular prophecy, in regard to the war, uttered by Douglas, January 1st, 1861. On that day, in reply to a gentleman,* making a New Year's call, and who inquired, "what will be the result of the efforts of Jefferson Davis, and his associates, to divide the Union?" "Rising, and looking," says my informant, "like one inspired, Douglas replied," "The cotton States are making an effort to draw in the border States to their schemes of secession, and I am but too fearful they will succeed. If they do succeed, there will be the most terrible civil war the world has ever seen, lasting for years." Pausing a moment, he exclaimed, "Virginia will become a charnel house, but the end will be the triumph of the Union cause. One of their first efforts will be to take possession of this Capital to give them prestige abroad, but they will never succeed in taking it — the North will rise *en masse* to defend it — but Washington will become a city of hospitals — the churches will be used for the sick and wounded — even this house, (Minnesota block, afterwards, and during the war, the *Douglas Hospital*,) may be devoted to that

* General Charles Stewart, of New York.

purpose before the end of the war." The friend to whom this was said, inquired, "What justification for all this?" Douglas replied, "There is *no* justification, nor any pretense of any—if they will remain in the Union, I will go as far as the Constitution will permit, to maintain their just rights, and I do not doubt a majority of Congress would do the same. But," said he, again rising on his feet, and extending his arm, "if the Southern States attempt to secede from this Union, without further cause, I am in favor of their having just so many slaves, and just so much slave territory, as they can hold at the point of the bayonet, and *no more*."

The President, having been inaugurated, announced his Cabinet as follows: William H. Seward, Secretary of State; Simon Cameron, Secretary of War; Salmon P. Chase, Secretary of the Treasury; Gideon Welles, Secretary of the Navy; Caleb B. Smith, Secretary of the Interior; Montgomery Blair, Postmaster General, and Edward Bates, Attorney General.

Four of this Cabinet, viz.: Messrs. Seward, Chase, Cameron, and Bates, were candidates for the nomination for the Presidency at the Chicago Convention. Mr. Seward, the Secretary of State, was Mr. Lincoln's most formidable competitor; on the first ballot, receiving the highest number of votes given to any one. He had been among the most distinguished of the great men of New York. He had been the recognized leader of the republican party, and had advocated with great ability, very radical anti-slavery measures. He had by his speeches and influence, done as much, perhaps more than any other man, to create and consolidate the popular judgment and feeling which triumphed in 1860. He was an accomplished scholar and a polished gentleman, familiar with the history of his country and its foreign policy, and admirably adapted to conduct its foreign correspondence. His mind was philosophic and didactic. He always took a cheerful and hopeful view of affairs, never anticipated evil—believed the rebellion would last "sixty days." He was a shrewd politician, and did not, in the distribution of patronage, forget the "Seward men." On going into the Cabinet he became conservative, and his influence since has been always against extreme views.

Salmon P. Chase, Secretary of the Treasury, had been also a prominent candidate for the Presidency. He was a man of commanding person, and fine manly presence, dignified, sedate, and earnest. His mind was comprehensive, logical, and judicial. He was an earnest, determined, consistent, radical abolitionist. His had been the master mind at the Buffalo Convention of 1848, and his pen had framed the Buffalo platform. By his writings, speeches, and forensic arguments, and as Governor of the State of Ohio, and in the United States Senate, acting with the accomplished free-soil Senator from Massachusetts, Charles Sumner, he had contributed largely to the formation of the republican party. Up to the time he became Secretary of the Treasury, he had developed no special adaptation to, or knowledge of finance; but he brought to the duties of that most difficult position, a clear judgment, and sound sense.

Simon Cameron, had been a very successful Pennsylvania politician; he was of Scotch descent, as his name indicates, with inherent Scotch fire, pluck, energy, and perseverance. He had a marked Scotch face, a keen gray eye, was tall and commanding in form, and had the faculty of never forgetting a friend, nor an enemy. He was accused of being unscrupulous, of giving good offices and fat contracts to his friends. He retired after a short time, to make room for the combative, rude, fearless, vigorous, and unflinching Stanton. A man who was justly said to have "*organized victory.*"

Montgomery Blair, the Postmaster General, represented the Blair family. A family of large political influence, and long connected with National affairs. F. P. Blair, Sen., as the editor of the Globe, during General Jackson's administration, was one of the ablest and strongest of the able men who surrounded that great man. He had associated with, and was the friend of Benton, Van Buren, and Silas Wright, he had seen those friends stricken down by the slave power, and he had learned to hate and distrust the oligarchy of slaveholders, and his counsels and advice, and his able pen, had efficiently aided in building up the party opposed to slavery.

Montgomery Blair had argued against the Dred Scott decision. F. P. Blair, Jr., and B. Gratz Brown, had led the

anti-slavery men of Missouri, and had, after a most gallant contest carried the city of St. Louis, and the former was now its honored representative in Congress.

Edward Bates, the Attorney General, was a fine, dignified, scholarly, gentlemanly lawyer of the old school.

Gideon Welles had been a leading editor in New England, and has conducted the affairs of the Navy with great ability; Caleb B. Smith was a prominent politician from Indiana, and had been a colleague of Mr. Lincoln in Congress.

On the evening of the 4th of March, Mr. Lincoln entered the White House, as the National Executive. He found a Government in ruins.

The conspiracy which had been preparing for thirty years, had culminated. Seven States had passed ordinances of secession, and had already organized a rebel Government at Montgomery. The leaders in Congress, and out of it, had fired the excitable Southern heart, and had infused into the young men, a fiery headlong zeal, and they hurried on with the greatest rapidity, the work of revolution. They ordained rebellion, and christened treason, secession. South Carolina, as already stated, having long waited for an occasion, took the lead, and had eagerly seized the pretext of the election of Mr. Lincoln, and on the 17th of November, 1860, passed unanimously, an ordinance of secession.

Georgia, against the remonstrances of Alexander H. Stephens, and others of her statesmen, followed, on the 19th of December, by a vote of 208 against 89. Ordinances of secession had been adopted by Mississippi, Florida, Alabama, Louisiana, and Texas.

North Carolina still hesitated. The people of that staunch old Union State, first voted down a call for a convention, by a vote of 46,671 for, to 47,333 against, but a subsequent convention, on the 21st of May, passed an ordinance of secession. Nearly all the Federal forts, arsenals, dock-yards, custom houses and post offices within the territories of the seceded States, had been seized, and were held by the rebels. Large numbers of the officers of the army and the navy, deserted, entering the rebel service. Among the most conspicuous in this infamy, was General David E. Twiggs, the second

officer in rank, in the army of the United States, and in January, 1861, commanding the Department of Texas. He had been placed there by Secretary Floyd, because he was known to be in the conspiracy. Secretary Holt, on the 18th of January, ordered that he should turn over his command to Colonel Waite; but before this order reached Colonel Waite, Twiggs had consummated his treason by surrendering to the rebel Ben. McCullough, all the National forces in Texas, numbering twenty-five hundred men, and a large amount of stores and munitions of war.

Strange as it may seem, the resignations of many officers were received and accepted, and the traitors instead of being arrested, were suffered to pass over to the insurgents. The civil officers of the United States were not permitted to exercise their functions in the seceded States under penalty of imprisonment and death. All property of the National Government was seized and appropriated to the rebellion. Debts due to the Government and to individuals in the loyal States, and the property of Union men, were confiscated.

There was little or no struggle in the Gulf States, excepting in Northern Alabama, against the wild tornado of excitement in favor of rebellion, which carried everything before it.

In the border States, in Maryland, Virginia, North Carolina, Tennessee, and Missouri, there was a contest, and the friends of the Union made a struggle to maintain their position. Ultimately the Union triumphed in Maryland, Kentucky, and Missouri; and the rebels carried the State of Tennessee against a most gallant contest on the part of the Union men of East Tennessee, under the lead of Andrew Johnson, Governor Brownlow, Horace Maynard, and others. They also carried Virginia, which seceded April 17th, and North Carolina, which adopted secession on the 20th of May.

Some of the rebel leaders labored under the delusion, and they most industriously inculcated it among their followers, that there would be no war; that the North was divided; that the Northern people would not fight, and if there was war, a large part of them would oppose coercion, and

perhaps fight on the side of the rebellion.* There was in the tone of a portion of the Northern press, and in the speeches of some of the Northern democrats, much to encourage this idea, and some leading republican papers were at least ambiguous on the subject. There was, however, one prominent man from Massachusetts, who had united with the rebel leaders in support of Breckinridge, who sought to dispel this idea. This was Benjamin F. Butler, who came to Washington, to know of his old political associates what it meant? "It means," said his Southern friends, "separation, and a Southern Confederacy. We will have our independence, and establish a Southern Government, with no discordant elements."

"Are you prepared for war," said Butler.

"Oh! there will be no war; the North will not fight."

"The North will fight. The North will send the last man, and expend the last dollar to maintain the government," said Butler.

"But," said his Southern friends, "the north can't fight, we have too many allies there."

"You have friends," said Butler, "in the North, who will stand by you so long as you fight your battles in the Union; but the moment you fire on the flag, the Northern people will be a unit against you." "And," added Butler, "you may be assured if war comes, *slavery ends.*" Butler, sagacious and true, became satisfied that war was inevitable. With the boldness and directness which has ever marked his character, he went to Buchanan, and advised the arrest of the commissioners sent by the seceding states, and their trial for treason. This advice was as characteristic of Butler to give, as of Buchanan to disregard.

During the last months of Buchanan's administration, there was a struggle between the conspirators in his cabinet, and the honest men—Dix, who had replaced Cobb as Secretary of

*Ex President Pierce in a letter to Jefferson Davis, dated January 6th, 1860, among other things said: "If through the madness of Northern abolitionists, that dire calamity, (disruption of the Union,) must come, the fighting will not be along Mason and Dixon's line merely. It will be *within our own borders, in our own streets* between the two classes of citizens to whom I have referred. Those who defy law, and scout Constitutional obligation, will, if we ever reach the arbitrament of arms, find occupation enough at home!" Such a letter is sufficiently significant.

the Treasury; Holt, who had replaced Floyd, as Secretary of War; and Stanton, who had replaced Black as Attorney General; Black having been called to the department of State, on the indignant retirement of Gen. Cass from that position, when Buchanan refused to reinforce Anderson at Moultrie.

When Lincoln entered upon his duties as President, such had been the misrepresentation of the speakers and press in the Southern States, that the people regarded him as a savage monster, in form and in character. The following incidents will illustrate this feeling.

A distinguished South Carolina lady, the widow of a Northern scholar, proud, aristocratic, and conscious of "*the blood of all the Howards*," and to whom Lincoln had been represented as a demon, half ape and half tiger, the very devil himself—called upon him at Willard's Hotel, just before his inauguration. The President elect came into the parlor accompanied by senators Hale, Seward, and others, prominent members of Congress. As she approached, (she was nearly as tall as the President,) she hissed in his ear, "South Carolinian!" He turned and addressed her with the greatest courtesy and gentlemanly politeness. After listening to him a few moments, astonished, she said to him:

"Mr. Lincoln, you look, act, and speak like a humane, kind and benevolent man!" He replied, "Did you take me for a savage, madam?"

"Certainly, I did," said she. Such was the impression his genial, benevolent nature made upon her, that she said to him, "Mr. Lincoln, the best way for you to preserve peace is to go to Charleston, and show the people what you are, and tell them you have no intention of injuring them." She went home, and entering a room, where were assembled a party of secessionists from South Carolina, Georgia and Alabama, exclaimed as she entered, "I have seen him! I have seen him!" "Who?" enquired they. "That terrible monster, Lincoln, and what is more, I am going to his first levee." The evening of the reception arrived, and dressing herself in a black velvet dress, with two long white plumes in her hair, this tall daughter of South Carolina repaired to the White House. Being nearly six feet high, with black hair, black eyes, a Calhoun

or Cataline face, (as her friends called it,) in her velvet robes, with her long, white plumes, she was a very striking and majestic figure. As she approached the President, he recognized her instantly. "Here I am again," said she, "that South Carolinian." "I am glad to see you," said he, "and I assure you that the first object of my heart is to preserve peace, and I wish every son and daughter of South Carolina were here, that I might tell them so." Meeting Mr. Cameron, Secretary of War, "South Carolina is the "*Prodigal Son*," said he. She replied instantly, "Ah, Mr. Secretary, but "The father divided the inheritance and let him go, but they say you are going to make war on Carolina."

In the light of to-day how aptly Mr. Cameron might have replied, that the "Prodigal son, after having spent his portion in riotous living, would arise, and go to his father;" and he might have prophecied, that when the seceding States "had spent all, and there should arise a mighty famine in the land, "they would be compelled to say, "We will arise and go unto our father and say, Father, we have sinned against Heaven and before thee, and am no more worthy to be called thy son, make us as one of thy hired servants." The parable has been literally fulfilled. The people of the South after spending their all in the war, came to Washington and said to the President, "We are no more worthy to be called thy sons, make us as hired servants." But the President, with a wisdom as yet very questionable, when the rebel states were yet "a great way off, had compassion on them, and ran out to meet them, and fell on their neck and kissed them, and he brought forth the best robe and put it on them, and rings on their hands and shoes on their feet, and killed the fatted calf."

"But Massachusetts, the elder son and the elder brothers were not pleased with this, and doubting the sincerity of their repentance, and like the elder brother of the "Prodigal son," complained and were angry. Is it yet time for Liberty to reply to Massachusetts, "son, thou art ever with me, and all that I have, is thine—it was meet that we should make merry and be glad, for these, thy erring brothers were dead, and are alive again—they were lost and are found."

CHAPTER IX.

FROM THE 4TH OF MARCH TO THE 4TH OF JULY, 1861—FROM THE INAUGURATION OF LINCOLN TO THE MEETING OF CONGRESS.

THE REBELS SEND COMMISSIONERS TO WASHINGTON—POSITION OF THE BORDER STATES—THE REBELS BEGIN THE WAR—ATTACK ON SUMTER—DANGER OF WASHINGTON—PRESIDENT'S CALL FOR 75,000 MEN—DOUGLAS SUPPORTS LINCOLN—UPRISING OF THE PEOPLE—MURDER OF MASSACHUSETTS SOLDIERS—RESPONSE OF BORDER STATES TO CALL FOR TROOPS—THE NORTH-WEST—VIRGINIA, TENNESSEE, MARYLAND—HENRY WINTER DAVIS—THE CLAY GUARDS—MISSOURI, BLOCKADE OF SECEDING STATES—CALLS FOR ADDITIONAL TROOPS—REBELS SEIZE HARPER'S FERRY AND GOSPORT NAVY-YARD—DEATH OF ELLSWORTH—GREAT BRITAIN AND FRANCE RECOGNIZE THE REBELS AS BELLIGERENTS—LEE AND BENEDICT ARNOLD—DEATH OF DOUGLAS.

ON the 12th of March the Confederate authorities commissioned John Forsyth, M. J. Crawford and A. B. Roman, Commissioners to the United States, with a view, as they said, to a speedy adjustment of all questions growing out of the political separation.

Mr. Seward, Secretary of State, declined to receive them; denied that the Confederate States had, in law, or in fact, *withdrawn from the Union*; denied that they could do so, except through a National Convention, assembled under the provisions of the Constitution. On the 9th of April the Commissioners withdrew from Washington, after addressing a letter to the Secretary of State, saying that they, on behalf of the rebel Government, *accepted* the gage of battle, etc. And yet, after the receipt of this letter, such was the unparalleled forbearance of the Government, that these Commissioners

were not arrested, but permitted quietly to withdraw, with the open avowal of going home to wage war!

On the 18th of March, General Braxton Bragg, commanding insurgent forces in Florida, issued an order, forbidding the citizens of the Confederate States from furnishing supplies to the Navy of the United States.

At this period, in March, even Mr. Douglas had not fully made up his mind, in favor of coercing the seceding States, into submission. Prominent Democrats in the free States, openly advocated the joining of Northern States to the Confederacy." Such was the undecided condition of public sentiment, in the free States in March; and as yet the Government of Mr. Lincoln had taken no bold, decided action, clearly indicating its policy. Meanwhile the Confederate authorities had siezed, as has been stated, with few exceptions, all the arsenals, forts, custom-houses, post-offices, ships, ordinance and material of war, belonging to the United States, and within the seceding States; and this, notwithstanding that General Dix, Secretary of the Treasury, had issued an order, directing that "If any man attempts to haul down the American flag, shoot him on the spot."

No position of greater difficulty can be conceived, than that of President Lincoln, in the spring of 1861. Congress had adjourned, without making any provision for the approaching crisis. The office of Secretary of War, for eight years previous to Mr. Lincoln's administration, had been conducted by Jefferson Davis and John B. Floyd, by whom a collision with the Federal Government had been anticipated. As we have already seen, they had strengthened the South at the expense of the North. They had armed the South by robbing the Northern national armories, and scattered beyond immediate recall, our little army and navy. Besides this, they, and especially Davis, had driven out of the service of the Army as far as possible, every man who was not a States'-rights, pro-slavery man.

The North was politically divided; a powerful political party, from long association, was in sympathy with the seceding States. This party had just come out of a violent contest against the party which had elected Lincoln. The

border slave states were nearly equally divided in numbers, and while the quiet, better educated and more conservative were for the Union, the young, reckless, and hot-headed were for secession.

While South Carolina and some of the other cotton States were substantially a unit for secession, in other slave States there was a strong majority opposed to it. To arouse sectional feeling and prejudice, and secure co-operation and unanimity, it was deemed necessary to precipitate measures and bring on a conflict of arms. It was generally said, that the first blood shed would bring all the slave States to the aid of the belligerent State. As before stated, there was a strong party in the North opposed to coercion. Had the President assumed the initiative, and commenced the war, while it would have united the slave States against him, it is not at all clear but it would have alienated a large portion of the Democrats of the North. Mr. Lincoln fully appreciated these difficulties, and these facts explain much that he did, and omitted to do, for which many of his friends censured him in the earlier stages of the rebellion. He sought to hold Virginia, Maryland, Kentucky, Missouri and Tennessee. The rebel leaders made the most strenuous efforts to induce the above named States to join the Slave Confederacy, but the discreet and judicious forbearance of the President, to some extent foiled their efforts, and he succeeded in holding Maryland, Kentucky and Missouri from joining the rebels.

As has been stated, the people of the border States were divided in sentiment, and it was very doubtful, for a time, which way they would go. The House of Representatives of Kentucky, on the 22d of January, resolved by a vote of 87 to 6, to resist the invasion of the South at all hazards. The Legislature adopted a resolution directing Governor Magoffin, of that State, by proclamation, to order Confederate troops off Kentucky soil. Magoffin vetoed this, but it was passed over his veto.

In the beginning of Mr. Lincoln's administration he acted on the defensive, while the rebels, from the first, assumed a bold, defiant tone. The Confederate Government immedi-

ately after it was established, raised troops, borrowed eight millions of money, and offered letters of marque to all who might choose to prey upon the rich commerce of the United States. The rebel Secretary of War, Walker, in a grandiloquent speech, prophecied that, before the 1st of May, the Confederate flag should float over the dome of the old Capitol, and it might, eventually, float over Faneuil Hall, itself!

It was determined to bring on a collision, by an attack on Fort Sumter. This was designed more especially and directly to carry the ordinance of secession through the convention of Virginia. To fire the Southern inflammable heart and raise a whirlwind of fury, which would sweep every thing before it, was the reason Davis and his co-conspirators opened the war.

On the 11th of April, General Beauregard demanded of Major Anderson the surrender of Fort Sumter. The Major refused. On the night of the same day, Beauregard wrote to Anderson, under instructions from the authorities at Montgomery, that if he "would state the time at which he would evacuate Fort Sumter, and agree, that in the meantime he would not use his guns against the Confederates, unless theirs should be employed against Sumter, the Confederates would abstain from opening fire upon him."

At half past two, on the morning of the 12th, Anderson replied, he would evacuate the fort by noon of the 15th. At half past three he was notified, in reply, that the rebels would open their batteries, in *an hour* from that time. Their batteries were opened, accordingly, and after a bombardment of thirty-three hours, which the little garrison endured and replied to with heroic courage, (their provisions and ammunition having been exhausted) Anderson agreed to evacuate the Fort. He retired from it on Sunday morning.

It is clear the rebels sought a collision, in pursuance of their avowed policy of rousing and inciting the South. The attack on Sumter immediately precipitated the political elements, and the people ranged themselves for, or against the Union.

The Capital was in a most critical condition. Full of Secessionists, the roads leading to the North obstructed, and

the city in a condition of siege. The mails, in every direction, were stopped, and the telegraph wires cut by the insurgents. The National forces, which were approaching Washington were obstructed; the war and navy departments were filled with spies, and probably, the White House itself. In this condition of things, it was not deemed safe to issue orders through the ordinary channels, because every thing sent in that way, reached the enemy. Special and private messengers were sent North, who pursued a circuitous route to the northern cities and governors of loyal States, calling on them to hasten troops to the rescue of the Capital. A company of personal friends was organized, who guarded the White House, the Long Bridge crossing the Potomac, and the Arsenals, and probably saved the life of the President, and the Government from overthrow.

On the 15th of April, President Lincoln issued his proclamation, calling for 75,000 men.

This proclamation was prepared on Sunday. Before its issue, and while the President was considering the subject, he was visited by Senator Douglas, who expressed his full approval of this call, only regretting that it was not for 200,000 men instead of the number called for.

The following dispatch was written by Senator Douglas, and given to the agent of the Associated Press, and sent to every portion of the North:

"April 18, 1861, Senator Douglas, called on the President, and had an interesting conversation, on the present condition of the country. The substance of it was, on the part of Mr. Douglas, that while he was unalterably opposed to the administration in all its political issues, he was prepared to fully sustain the President, in the exercise of all his Constitutional functions, to preserve the Union, maintain the Government, and defend the Federal Capital. A firm policy and prompt action was necessary. The Capital was in danger, and must be defended at all hazards, and at any expense of men and money. He spoke of the present and future, without any reference to the past." *

*The original of this dispatch in Douglas' hand writing is now in possession of Hon. George Ashmun, of Massachusetts, who kindly furnished a copy.

Thus Douglas lent the influence of his name, with his party and the country, in aid of this decisive step, towards suppressing the rebellion by force. He soon after returned to Illinois, and at Springfield and Chicago, made speeches sustaining the policy of the President, and declaring, that now, there could be but two parties, "patriots and traitors."

The speech of Douglas, at Chicago, was made in the immense building called the "Wigwam," built for, and used by the National Convention which nominated Lincoln for the Presidency. Since the day of that nomination, no such crowd had gathered there, as assembled to hear Douglas. He said we had gone to the very extreme of magnanimity. The return for all which had been done, was *war*, armies marching on the Capital — a movement to blot the United States from the map of the globe. "The election of Lincoln," said he, "is a mere pretext," the secession movement is the result of an enormous conspiracy, formed by the leaders of the Southern Confederacy, before the election of Lincoln. "There can be no neutrals in this war — only *patriots or traitors.*"

There were those in the border States who deprecated this call, and who expressed the belief that this act precipitated war, and that continued forbearance would have brought on a reaction at the South, which would have resulted in a restoration of the Union. They who indulged in such dreams little knew the spirit of the conspirators. Had this call been delayed, even a few hours, or had there been less promptness in responding to it, the President would have been assassinated, or he would have been a fugitive or a prisoner, and the rebel flag would have waved over the Capitol, and Jefferson Davis would have issued his Proclamations from the White House. Mr. Lincoln pursued the policy of conciliation, in the vain hope of peace, to the very verge of National destruction.

The fall of Sumter and the President's call for troops, were the signals for the rally to arms throughout the loyal States. Twenty millions of people, forgetting party divisions, and all past differences, rose with one voice of patriotic enthusiasm, and laid their hearts and hands, their fortunes and

their lives upon the altar of their country. The Proclamation of the President calling for 75,000 men and convening an extra session of Congress to meet on the 4th of July, was followed, in every free State, by the prompt action of the Governors, calling for volunteers. In every city, town, village, and neighborhood, the people rushed to arms, and the strife was, who should have the privilege of marching to the defense of the National Capital. Forty-eight hours had not passed after the issue of the Proclamation at Washington, before four regiments had reported to Governor Andrews, at Boston, ready for service. On the 17th, he commissioned B. F. Butler, of Lowell, as their commander.

Governor Sprague, of Rhode Island, calling the Legislature of that State together, on the 17th, tendered to the Government, a thousand infantry, and a battallion of artillery, and placing himself at the head of his troops, started for Washington.

The great State of New York, whose population was nearly four millions, through her Legislature, and the action of Governor Morgan, placed her immense resources in the hands of the National Executive. So did Pennsylvania, with its three millions of people, under the lead of Governor Curtin. And Pennsylvania has the honor of having furnished the troops, that first arrived for the defense of the Capital, reaching there on the 18th, just in time to prevent the seizure of the nearly defenceless city.

By the 20th of April, although the quota of Ohio, under the President's call, was only thirteen regiments, 71,000 men had offered their services through Governor Dennison, the Executive of that State. It was the same everywhere. Half a million of men, citizen volunteers, at this call, sprang to arms, and begged permission to fight for their country. The enthusiasm pervaded all ranks and classes. Prayers for the Union and the integrity of the Nation, were heard in every Church throughout the free States. State Legislatures, Municipalities, Banks, Corporations, and Capitalists everywhere offered their money to the Government, and subscribed immense sums for the support of the volunteers and their families. Independent military organizations poured in their

offers of service. Written pledges were widely circulated and signed, offering to the Government the lives and property of the signers, to maintain the Union. Great crowds marched through the principal cities, cheering the patriotic, singing National airs, and requiring all to show, from their residences and places of business, the stars and stripes, or "the red, white and blue." The people, through the press, by public meetings, and by resolutions, placed their property and lives at the disposal of the Government.

At this gloomy period, through the dark clouds of gathering war, uprose the mighty voice of the people to cheer the heart of the President. Onward it came, like the rush of many waters, shouting the words that became so familiar during the war —

> We are coming, Father Abraham,
> Six hundred thousand strong.

The Government was embarrassed by the number of men volunteering, for its service. Hundreds of thousands more, were offered, than could be armed or received. Senators, members of Congress, and other prominent men, went to Washington to influence the Government to accept the services of the eager regiments, everywhere imploring permission to serve.

The volunteer soldier was the popular idol. He was everywhere welcome. Fair hands wove the banners which he carried, and knit the socks and shirts which protected him from the cold; and everywhere they lavished upon him every luxury, and comfort, which could cheer and encourage him. Every one scorned to take pay from the soldier. Colonel Stetson, proprietor of the "Astor House Hotel, in New York, replied to General Butler's offer to pay — "The Astor House makes no charge for Massachusetts soldiers." And while the best Hotels were proud to entertain the soldier, whether private or officer, the latch-string of the cabin and farm-house was never drawn in upon him who wore the National blue. Such was the universal enthusiasm of the people for their country's defenders.

The feeling of fierce indignation towards those seeking to destroy the Government, was greatly increased by the attack of a mob in the streets of Baltimore, upon the Sixth regiment of Massachusetts volunteers, while passing from one depot to the other, on their way to the Capital. This attack on the 19th of April, in which several soldiers were shot down, roused the people to the highest pitch of excitement. The secessionists were so strong in that State as to induce the Mayor of Baltimore, and Governor Hicks, a Union man, to protest against troops marching over the soil of Maryland, to the defense of the National Capital. They burned the bridges on the railroads leading to Washington, and for a time, interrupted the passage of troops through Baltimore. The Governor so far humiliated himself, and forgot the dignity of his State and Nation, as to suggest that the differences between the Government and its rebellious citizens, should be referred to Lord Lyons, the British Minister. The Secretary of State fittingly rebuked this unworthy suggestion; alluding to an incident, in the late war with Great Britain, he reminded the Governor of Maryland, "that there had been a time when a General of the American Union, with forces designed for the defense of its Capital, was not unwelcome anywhere in Maryland;" and he added, "that if all the other noble sentiments of Maryland had been obliterated, one, at least, it was hoped would remain, and that was, that no domestic contention should be referred to any foreign arbitrament, least of all, to that of a European Monarchy."

While such was the universal feeling of loyal enthusiasm throughout the free States, in the border slave States, there was division and fierce conflict. Governor Magoffin, of Kentucky, in reply to the President's call, answered, "I say, emphatically, Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States." Governor Harris, of Tennessee, said: "Tennessee will not furnish a man for coercion, but 50,000 for the defense of our Southern brothers." Governor Jackson, of Missouri, refused, saying, "not one man will Missouri furnish to carry on such an unholy crusade;" and Virginia, not only refused through her

Governor, to respond, but her Convention then in session, immediately passed an ordinance of secession, by a vote of 88 to 55.

The Northwest, the home of the President, and the home of Douglas, was, if possible, more emphatic, it could scarcely be more unanimous, than other sections of the free States in the expression of its determination to maintain the Union at all hazards, and at any cost. The people of the vast country between the Alleghanies and the Rocky Mountains, and North of the Ohio, regarded the Mississippi as peculiarly *their* river, their great outlet to the sea. Proud and confident in their hardy strength, familiar with the use of arms, they never at any time, for a moment, hesitated in their determination, in no event to permit the erection of a foreign territory between themselves and the Gulf of Mexico. Here were ten millions of the most energetic, determined, self-reliant people on earth, who had overcome difficulties, and surmounted obstacles; and the idea that anybody should dare to set up any flag, other than their's between them and the ocean, was a degree of audacity they would never tolerate. "Our great river," exclaimed Douglas, indignantly, "has been closed to the commerce of the Northwest." The seceding States, conscious of the strength of this feeling, early passed a law, providing for the free navigation of the Mississippi. But the hardy Western pioneers were not disposed to accept paper guarantees for permission to "possess, occupy and enjoy" their own. They would hold the Mississippi, with their rifles. When closed upon them, they resolved to open it, and they did open it. They immediately seized upon the important strategetic point of Cairo, and from Belmont to Vicksburg and Port Hudson, round to Lookout Mountain, Chattanooga, and Atlanta, they never ceased to press the enemy, until the great central artery of the Republic, and all its vast tributaries, from its source to its mouth, were free; and then, marching to the sea, joined their gallant brethren on the Atlantic coast, to aid in the complete overthrow of the rebellion, and the final triumph of liberty and law.

It has been stated that the people of the border States had been divided in sentiment, and it was very doubtful for a time, which way they would go; but the attack upon Fort Sumpter, and the call by the President, for troops, forced the issue, and the unscrupulous leaders were able to carry Virginia, North Carolina, Tennessee, and Arkansas, into the Confederate organization, against the will of a majority of the people of those States. Virginia, the leading State of the Revolution, the one, which under the leadership of Washington and Madison had been the most influential in the formation of the National Government, the "Old Dominion," as she was usually called, the "Mother of States and of statesmen," had been for years, descending from her high position. Her early and Revolutionary history had been of unequaled brilliancy; she had largely shaped the policy of the Nation, and furnished its leaders. Her early statesmen were anti-slavery men, and if she had relieved herself of the burden of slavery, she would have held her position as the leading State of the Union; but, with this heavy drag, the proud Old Commonwealth had seen her younger sisters of the Republic rapidly overtaking and passing her in the race of progress, and the elements of National greatness. Indeed she had fallen so low, that her principal source of wealth was from the men, women, and children, she raised and sent South to supply the slave markets of the Gulf States. Her leading men had been advocating extreme State rights' doctrines, fatal to National Unity, and thus sowing the seeds of secession. Her politicians had threatened disunion, again, and again. Still, when the crisis came, a majority of her people were true; a large majority of their Convention was opposed to secession, and when afterwards, by violence and fraud, the ordinance was passed, the people of the Northwest, the mountain region of Virginia, resisted, and determined to stand by the Union. This portion of the State maintained its position with fidelity and heroism, and ultimately established the State of West Virginia.

Although Virginia, in January, 1861, voted a million of dollars for defensive purposes, yet as late as April 4th, the Convention, by a vote of eighty-nine to forty-five, voted down

an ordinance of secession. But the Union men in the Convention, under various appliances, the promises, threats, and violence used, yielded one after another, until, under the excitement growing out of the attack upon Fort Sumter and the President's call to arms, the ordinance of secession was forced through. Before this could be done, however, a mob was raised at Richmond by the conspirators and a Committee appointed to wait upon certain Union men in the Convention, and advise them that they must either vote for secession, absent themselves, or be hung. The secession of Virginia, added greatly to the danger of Washington, and a bold movement upon it, then, in its defenceless condition, would have been successful.

Alexander H. Stephens, Vice President of the Confederacy, came to Richmond, and everywhere raised the cry of "on to Washington!"

The State authorities of Virginia did not wait the ratification of the secession ordinance by the people, to whom it was submitted for adoption or rejection, but immediately joined the Confederacy, commenced hostilities, and organized expeditions for the capture of Harper's Ferry and the Gosport Navy-yard. Senator Mason immediately issued an address to the people, declaring that those who could not vote for a separation of Virginia from the United States, "*must leave the State!*" Submission, banishment, or death was proclaimed to all Union men of the Old Commonwealth. No where, except in West Virginia, and some small localities, was there resistance to this decree. In the Northwest, the mountain men rallied, organized, resolved to stand by the old flag and protect themselves under its folds.

The secession of Virginia, gave to the Confederates a moral and physical power, which imparted to the conflict the proportions of a tremendous civil war. She placed herself as a barrier between her weaker sisters and the Union, and she held her position, with a heroic endurance and courage, worthy of a better cause and of her earlier days. Indeed, she kept the Union forces at bay for more than four long years, preserving her Capital, and yielding only when the hardy soldiers of the North had marched from the

Cumberland to the sea, cutting her off and making the struggle hopeless.

North Carolina, naturally followed Virginia, and on the 21st of May, adopted by a unanimous vote an ordinance of secession, and her Governor, Ellis, called for an enrollment of 30,000 men.

Tennessee, was the daughter of North Carolina, yet her people were widely divided in sentiment and sympathy; East Tennessee, embracing the mountains of the Cumberland range, and the Western slopes of the Alleghanies, where there were few slaves, and peopled by a brave, hardy, and loyal race, were devoted to the Union. In the West, a majority of the people were in sympathy with those seeking to overthrow the Government. The Governor, Isham G. Harris, was an active conspirator, and in full accord with the enemies of the Union. General Pillow, on the organization of the rebel Government, hastened to Montgomery, and tendered it 50,000 volunteers from Tennessee. On the 9th of February, the people voted down secession by 65,000 majority! The Union men of that State, under the lead of Andrew Johnson, Horace Maynard, Governor Brownlow, and their associates, determined to maintain the Union. But the loyal people of Tennessee were isolated from the free States, unapproachable from the East, except across Virginia, and over the Alleghanies; and from the North separated by the semi-rebellious State of Kentucky. Under these circumstances, it was difficult for Mr. Lincoln to furnish them aid and succor. The State was nearly surrounded by secession influences; the State Government was in the hands of traitors to the Union, and in June following, by means of fraud, violence, intimidation, and falsehood, an apparent majority was obtained in favor of secession. East Tennessee, however, still indignantly rejected secession, and her sons made a gallant fight for the Union.

Maryland, from her location between the free States and the National Capital, occupied a position of the utmost importance. Could she be induced to join the Confederates, their design of siezing the National Capital and its archives, would be made comparatively easy. Emissaries from the

conspirators were busy in her borders during the winter of 1861. But while there were many rebel sympathizers and traitors among her slave-holders, and many leading families gave in their adhesion to the conspiracy, the mass of the people were loyal. The Governor of the State, Thomas H. Hicks, though he yielded for a time to the apparent popular feeling in favor of the Confederates, and greatly embarrassed the Government by his protests against troops marching over Maryland soil to the defence of the Capital, was, at heart, a loyal man, and in the end became a decided and efficient Union leader. He refused, against inducements and threats of personal violence, to call the Legislature of the State together, a majority of whom were known to be Secessionists, and who would have passed an ordinance of secession. But the man to whom the people of Maryland are most indebted, and who was most influential in the maintenance of the Union cause, at this crisis, and who proved the benefactor of the State in relieving her from the curse of slavery, was the bold, eloquent and talented Henry Winter Davis. He took his position from the start, for the unconditional maintenance of the Union.

The officials of the city of Baltimore, were most of them Secessionists, and its Chief of Police was a traitor, and was implicated in the plot to assassinate Mr. Lincoln on his way to the Capital.

On the 19th of April, a mob in the city of Baltimore had attacked the Massachusetts Sixth regiment, while quietly passing through to the defense of the Capital, and several soldiers and citizens were killed in the affray. The bridges connecting the railways from Pennsylvania and New York, with Baltimore, were burned, and for a time, communication by railroad was interrupted.

Gen. B. F. Butler, leading the Massachusetts troops, together with the New York Seventh Regiment, were compelled to go around by Annapolis, and to rebuild the railway to Washington. But one dark, stormy night, General Butler marched into Baltimore, encamped on Federal Hill, and reopened communication with the North. The Union men of Maryland rallied; the leading Secessionists fled, or were

arrested; and, from that time, Maryland was a loyal State, lending to the Union the aid of her moral influence, and furnishing many gallant soldiers to fight its battles.

On the 18th of April, the day before the massacre of the Massachusetts soldiers by the Baltimore mob, intelligence reached Washington of a plot, on the part of the secessionists in that city, aided by Virginia, to rise, fire the city, seize as prisoners the President and his Cabinet, and all officials present, take possession of the Government archives, and thus realize the prophecy of the rebel Secretary of War, Walker, that the flag of the Confederates should float over the dome of the Capitol before the first of May.

There were, at that time, but few troops in Washington, and the means of defense were very inadequate. Soldiers were hurrying to its defense from Pennsylvania, New York and New England, but a part of the plan was the burning of the bridges of the railways, and the interruption of communication between Baltimore and the North, and this part was successfully executed.

When intelligence of this plot was received at Washington, there were several hundred gentlemen of high personal character and social position in the city. They immediately met, organized, took an oath of fidelity to the Union, elected Cassius M. Clay of Kentucky, and General James H. Lane of Kansas their leaders, were armed by the War Department, and, for several days, acted as guards. The party under Lane took up their quarters in the East room of the White House, and the others guarded the city. Arms were placed in the Capitol, it was provisioned for a short seige, and it was prepared to be used in case of necessity as a citadel. Behind its massive marble walls it was believed that the President and the officials, and Government archives, might find safety, until the loyal people of the North, rallying to the rescue, should reach the Capital.

But Butler soon opened communications; the New York 7th reached the Capital, and then there were troops enough to make the execution of the plot madness; and it was consequently abandoned. Meanwhile Fortress Monroe, Annapolis and Baltimore, were occupied by Federal troops, and all

danger of an immediate attack of the insurgents, disappeared.

What course would Missouri, the leading State west of the Mississippi take? With a population exceeding a million, she had only 115,000 slaves. Her interests were with the free States, yet she had a Governor in direct sympathy with the traitors, and so were the majority of her State officers. A State Convention was called, but an overwhelming majority of Union men had been elected. The truth is, that although the slave power had succeeded in destroying the political power of her great Senator, Thomas H. Benton, yet the seeds of opposition to slavery he had scattered, were everywhere springing up in favor of Union and Liberty. The city of St. Louis, the Commercial Metropolis of the State, had become a free-soil city; it had elected Francis P. Blair, Jun., a disciple of Benton to Congress. The large German population, under the lead of Franz Siegel and others, were for the Union, to a man.

To the President's call for troops, the rebel Governor Claiburn F. Jackson, returned an insulting refusal, but the people under the lead of Blair, responded.

The United States Arsenal at St. Louis, was, at this time, under a guard commanded by Captain Nathaniel Lyon, one of the boldest and most energetic officers of the army. He, in connection with Colonels Blair, Siegel, and others, organized volunteer regiments in St. Louis, preparing for a conflict, which they early saw to be inevitable. The arms of the St. Louis Arsenal, were, during the night of the 25th of April, under the direction of Captains Stokes and Lyon, transferred to a steamer and taken to Alton, Illinois, for safety, and were soon placed in the hands of the Volunteers from that State.

Governor Jackson had gathered several hundred men whom he called a "*State Guard*" but whom he intended should be drilled and prepared as rebel soldiers, and with whom he intended to seize the United States arms and the Arsenal. But his design was thwarted by Captains Stokes and Lyon. Lyon then, on the 6th of May, followed up his success in saving the arms, by marching with about six thousand men to camp Jackson, where the "State Guards" were

encamped, and surrounded and took them prisoners. He captured twenty cannon, 1,200 new rifles, several chests of muskets, and a large quantity of amunition, most of which the "*State Guard*," under direction of Governor Jackson, had stolen from the United States arsenals.

On the 19th of April, the President issued a proclamation, blockading the ports of the Gulf States, and on the 27th of April, this was extended to North Carolina and Virginia, both of which states had been carried into the vortex of revolution. On the 3d of May, the President called into the service 42,034 volunteers, for three years, and provided for an addition of over 20,000 men to the regular army.

Meanwhile the insurgents had been active and enterprising. They had boldly seized Harper's Ferry, and the Gosport Navy Yard, near Norfolk, Virginia. Within twenty-four hours after the Secession ordinance passed the Virginia Convention, they sent forces to capture those places where were very important arsenals of arms and ordinance. Harper's Ferry had long been a National Armory, and commanded the Baltimore and Ohio Railroad, one of the most important connections of the Capital with the Great West. It was the gate to the beautiful valley of the Shenandoah, and of great importance as a military post. On the 18th of April it was abandoned by its small garrison, and taken possession of by the insurgents. At about the same time, the Gosport Navy Yard, with 2,000 pieces of heavy cannon and various material of war, and large ships, including the Pennsylvania of 120 guns, and the Merrimac, afterwards famous for its combat with the Monitor, fell into their hands. Owing to imbecility, or treachery, or both, this Navy Yard, with its vast stores and property, estimated to be worth from eight to ten millions, was left exposed to seizure and destruction.

When it was too late, Commodore Paulding was sent to relieve the imbecile, if not treacherous, McCauley, and believing that he could not defend the Yard and property, he set fire to the ships, attempted to destroy the ordinance, and commit to the flames the Yard and every thing of value connected with it. The fire was only partially successful, and a

very large amount of the property fell into the nands of the rebels.

Meanwhile troops gathered to the defense of the National Capital. Among others, came Colonel Elmer E. Ellsworth, with a splendid regiment which he had raised, picked men from the New York firemen.

On the evening of the 23rd of May, the Union forces crossed the Potomac, took possession of Arlington Heights and the hills overlooking Washington and Alexandria.

As Colonel Ellsworth was returning from taking down a rebel flag from the Marshall House in Alexandria, he was instantly killed by a shot fired by the keeper of the hotel over which the obnoxious symbol had floated.

This young man had accompanied Mr. Lincoln from Illinois to Washington, and was a *protege* of the President. He had introduced the Zouave drill into the United States. He was among the first martyrs of the war, and his death was deeply mourned by the President. His body was taken to the Executive Mansion, and his funeral, being the first of those who died in defense of the flag, was very impressive, touching and solemn. He was, almost, the first soldier ever slain in the United States, in civil war. A gold medal was taken from his body after his death, stained with his hearts' blood, with the inscription "*non solem nobis, sed pro patria*," "Not for myself, but for my country."

The secession of Virginia had been followed by the removal of the rebel Government to Richmond. Virginia, North Carolina, Tennessee and Arkansas had joined the Confederacy. Thus eleven States, through State organizations, had withdrawn, and sought to divide the Republic.

At last Freedom and Slavery confronted each other, face to face, with arms in their hands. The loyal States at this time, had a population of 22,046,472, and the eleven seceding States had a population of 9,103,333, of which 3,521,110 were slaves.

The Vice President of the Confederate States, in his speech at Milledgeville, Georgia, frankly said: "*This (African Slavery,)* was the immediate cause of the late rupture, and present revolution. Jefferson in his forecast had anticipated this,

as the rock upon which the old Union would split! He was right; what was conjecture with him is now a realized fact, &c. * * * * * * Our new Government is founded upon exactly the opposite idea; *its foundations are laid, its corner stone rests upon the great truth, that the Negro is not equal to the white man;* that *Slavery*, subordination to the superior race *is his natural and normal condition.* This, our new Government, is the first in the history of the world, based upon this great physical, philosophical and moral truth."

The Confederate Government being based on slavery—this being openly avowed as its corner-stone, how would it be received in Europe, especially by those great nations, Great Britain and France, which had so often reproached the United States for the existence of slavery? These great nations and all the world, were now to be spectators of a conflict between an established Government, perfectly free, and a conspiracy and rebellion, by a portion of its citizens, avowedly to erect upon its ruins, a government based on human slavery. Surely there was every reason to expect these powers would indignantly rebuke any suggestion that they should recognize a Government with such a basis, and that they would, in the most emphatic manner express their disapproval of a rebellion against an existing government, for such a cause.

Yet the Governments of Great Britain and France, acting in concert, even before the representatives of the new Administration arrived at London and Paris, recognized the rebels as a belligerent power. This strange readiness to encourage rebellion, this eagerness to accord belligerent rights to a disorganizing power based on human slavery, was generally and justly attributed to a secret hostility, on the part of the governing classes of Europe, toward the American Republic. The United States stood before the world, as the Representative of freedom, democracy, civilization, order and regular government. The rebels, as a disorganizing rebellion based on slavery and barbarism; and yet, the crowned heads and the aristocracy made haste to hail it as a belligerent.

The *London Times*, the great organ of the British Aristocracy, joyously announced that, "*The great Republic is no*

more! Democracy is a rope of sand!" The United States, it said, lacked the cohesive power to maintain an Empire of such magnitude.

Disintegration was, already, exultingly proclaimed to be an accomplished fact, and no power, it was alleged, existed in the Federal Government to unite the fragments of the dissolved Republic.

At the moment of extremest National peril, when the son of the western pioneer whom the people had chosen for their Chief Magistrate, appalled by the dangers which gathered around his country, when his great and honest soul, bowed itself to God, and as a simple child, and in deepest supplication asked His blessing, and guidance; at this hour, from no crowned head, from no aristocratic ruler abroad, came any word of sympathy; but those proud rulers could jest at his uncouth figure, his uncourtly bearing. "The bubble is burst," said they. The Almighty answered that prayer; He joined the hearts and linked the hands of the American people and their President together; and from that hour, to his death, the needle does not more quickly respond to the polar influence, than did Lincoln to the highest and God-inspired impulses of a great people—a people capable of the highest heroism and the grandest destiny.

Very soon the work-shops of England and Scotland were set in motion to prepare the means of sweeping American commerce from the ocean.

The active sympathy of the masses of European populations, and the cold and scarcely concealed hostility of the aristocratic and privileged classes, were early and constantly manifested during the entire struggle. This was, perhaps, not unnatural. In addition to the uneasiness which the rapid growth and commanding position of our country had created, the whole world instinctively felt that the contest was between Freedom and Slavery, Democracy and Aristocracy. Could a Government, for the people and by the people, maintain itself through this fearful crisis? It was quite evident, from the beginning, that the privileged classes abroad were more than willing to see the great Republic broken up, to see it pronounced a failure. Mr. Buchanan had left our

foreign relations in a very deplorable condition; the Union had few, if any, able and determined representatives abroad. The conspirators had prepared the way, as far as possible, by their intrigues, scarcely veiled, for the recognition of the Confederacy. The rebels had a positive, vigorous organization with agents all over Europe, many of them in the diplomatic service of the United States. They had created a wide-spread prejudice against Mr. Lincoln, representing him as merely an ignorant, vulgar "rail-splitter" of the prairies.

Mr. Faulkner, of Virginia, represented our Government in France, and Mr. Preston, a slaveholder from Kentucky, in Spain, both secessionists. It was not long, however, before Mr. Lincoln impressed the leading traits of his character upon our foreign policy. Frankness, open, straightforward integrity, patient forbearance, and unbroken faith in the triumph of the Union and liberty, based on his trust and confidence in the Almighty, and the American people, characterized his foreign policy. This policy was simple and thoroughly American; our Representatives were instructed to ask nothing but what was clearly right, to avoid difficulty, and to maintain peace, if it could be done consistently with National honor. The record of the diplomatic correspondence of the United States during the critical years of this administration, is one of which Americans may justly be proud. Time and events have vindicated the statesmanship by which it was conducted. Mr. Seward, in his instructions to Mr. Adams, on the eve of his departure for the Court of St. James, very clearly laid down the principles which should govern our relations with foreign nations. Mr. Adams was instructed not to listen to any suggestion of compromise between the United States and any of its citizens, under foreign auspices. He was directed firmly to announce that no foreign Government could recognize the rebels as an independent power, and remain the friends of the United States. Recognition was War. If any foreign power recognized, they might prepare to enter into an alliance also, with the enemies of the Republic. He was instructed to represent the whole country, and should he be asked to divide that duty with the

Representatives of the Confederates, he was directed to return home.

The action of the insurgent States was treated as a rebellion, purely domestic in its character, and no discussion on the subject with foreign Nations would be tolerated. England did not recognize the Confederates as a Nation. She did not choose war; but short of recognition, alliance and war, it is difficult to see how she could have done more to encourage and aid the insurgents. On the floor of the British Parliament, a member exulted in the secession of the slaveholders, as "*The bursting of the bubble Republic.*"

We have seen that slavery brought on the attempted revolution. To secure that institution, the aristocracy of the South, the slaveholders, seceded from the Union and drew the sword, declaring to the world their determination to make this their peculiar institution, the corner-stone of their empire.

The Confederacy had secured the coöperation of eleven States; and it had active aid and sympathy from Maryland, Kentucky, and Missouri, while the Union cause had effective and numerous friends in Tennessee, and a large majority in that part of Virginia, since organized into the State of West Virginia.

There were, at this time, and mostly in the rebel States, nearly four millions slaves. How should they be treated? Should the Government, by offering them freedom, make them its active friends? or alienate them by returning them to slavery? In the light of to-day, it is difficult to realize why there should have been any hesitation or vacillation on this question. The transfer of four millions of people, living in the seceding States, from the rebel to the Union side, would be decisive. But many of the Union men of Missouri, Kentucky, Tennessee, and Maryland, were slaveholders. The Constitution had been generally held as recognizing and protecting slavery. By precedent, long established usage, and generally conceded Constitutional obligation, negroes were to be returned by Federal officers, on demand, to their claimants. The power of the Federal authority under the control of slaveholders, had been long used to return fugitive slaves.

The National Judiciary, the army, and the navy, had been the instruments by which the institution of slavery was upheld. The claim of the master to his slave, had been protected by extraordinary guarantees unknown to any other species of property, and the right to this species of property had grown to be considered a sacred thing. No "rude hand" must touch it! Abolition and abolitionists were "vulgar fanatics," reckless of Constitutional obligations; slaveholders were *gentlemen*. For years the Military Academy at West Point, and the Naval School, at Annapolis, had been under pro-slavery influences. For eight years immediately preceding the revolt, Jefferson Davis and John B. Floyd, as Secretaries of War, had controlled the army, weeding out those who did not agree with them in their peculiar views of State rights and slavery. When the insurgents raised the flag of rebellion, the army and navy were scandalized, and the Nation disgraced by large numbers of the officers deserting their flag. Nearly two hundred of the graduates of the Military School at West Point, deserted and joined the rebel army. From Robert E. Lee, down to the contemptible Buchanan, who the day before his treason, came to Mr. Lincoln and said, "If all others desert you, I will stand by you,* there is a catalogue of names, which will forever disgrace the annals of the old regular army. The name of *Benedict Arnold*, long so conspicuous alike for his treason and his personal courage, has been overshadowed by the cloud of deserters, who turned their swords against the flag they had sworn to defend, and against the country which had adopted and educated them.

Among these deserters, the man destined to attain the most conspicuous position in the rebel army, was Robert E. Lee. It is important in the interest of truth, that history should do him justice; that his conduct should be rightly appreciated by the American people, and the world. He bore one of the proudest revolutionary names, and had intermarried with a family, which, by its connection with Washington, has always commanded the love and honor of our country. He had received from his country, grateful for the

*This statement the author received from Mr. Lincoln himself.

services of his ancestors, the best education her National Military School could give. By accepting such education at her hands, he had dedicated his life to her military service. He became the petted soldier, the favorite of his loyal commander-in-Chief, and the staff of his years. General Scott loved and trusted him; and by his confidential relations to the Lieutenant General, Lee was in possession of all his plans and purposes. Suddenly, on the eve of a rebel war, he deserted his flag, betrayed his Chief, and within two days after his resignation was accepted, he was found in the rebel service, soon to receive a high command. How does his treason compare with that of Benedict Arnold? Each deserted his flag; each was treacherous to his Chief, by whom he was honored and loved; each drew his sword against his country and his old faithful comrades. Lee was as much beloved and honored by Scott, as Benedict Arnold was by Washington. Arnold sought to betray a stronghold into the enemies' hands. Lee took into the rebel councils, full knowledge of Scott's plans, and a minute and accurate knowledge of the military establishment of his country. He had been generously educated by his country, and his life was doubly pledged to her service; Arnold was a volunteer, and complained of personal grievances. Lee had the countenance of many traitors to keep him company; Arnold's infamy, thanks be to God! was solitary and alone. It cannot be pleaded in extenuation of Lee's treason, that he followed Virginia into secession. He deserted before the secession ordinance of his native State had been adopted by the people, and he was one of those, who led Virginia into rebellion. Lee's letter of resignation bears date April 20th, and the people of Virginia did not vote on the ordinance of secession until the 23d of May.* To the infamy, justly attaching to him as a deserter from his flag, and a traitor to his country, the stern logic of truth compels us to add, that he shares with Jefferson Davis, the blacker colors of at least not preventing such fearful inhumanity, and cool calculating cruelty, as finds no parallel in the conduct of Arnold, nor in any act of the earlier American history, before the manhood of the South lost its real chivalry, in the barbarities of the slave system.

* Lee's appointment in the rebel service bears date April 22d.

During a long and bloody war, Davis and Lee saw, without interference, their comrades and fellow soldiers of the days before their fall, murdered by thousands, while prisoners of war. With their residences at Richmond, one as President and dictator, and the other as Commander of the armies in Virginia, the dark and horrid records of Libby, and Belle Isle, and Andersonville, could not have been unknown to them. Those sickening details of slow murder, starvation and suffering, at which humanity shudders, it would be well, for the sake of our common manhood, to consign to oblivion, but that they exemplify how some of the best blood of the South could, under the influence of the slave system, be converted into the brutal barbarians, by whom such outrages were perpetrated! The saddest spectacle of this fearful war is not the desolated field, the burning city, the homeless family, nor the bloody battle-scene, with its bleeding mutilated sufferers, patient, noble, sublime in their agony; nor is it the hospitals of sick, wounded, and dying; nor is it even those great prison-fields, where famine, and thirst, and heat, and vitiated air, and nakedness, and vermin, and every loathsome disease, joined with brutal guards, combined to reduce gallant, brave, heroic men to insanity, to imbecility, to idiocy, and to death. No! the the saddest picture of all, is to see educated, refined Southern gentlemen, the boasted "*chivalry*" of the slaveholding section, suffering, tolerating these barbarities as an instrumentality of war to reduce the power of their enemies!

This is indeed, the saddest spectacle of the war. For this the South has been purged with fire. Passing through this agony, the slave States have come out of it, freed, emancipated, disenthralled, and regenerated. The noble manhood of the South will be restored. On the dark clouds, which still envelop the Southern section of the Union, the bow of promise appears. That bow rests upon liberty.

To return to Robert E. Lee. The personal misfortunes of such a man, the romance of his bravery as a soldier, the charm of his personal manners, will not excuse the historian from recording the truth; that this man, gallant soldier as he was, had no loyalty to his flag, no regard for his oath, no

fidelity nor gratitude to his country, or his Chief; no humanity, nor good fellowship towards his comrades, to induce him to interfere to prevent their extermination by fearful cruelties while prisoners of war. He must go down to posterity as a deserter and a traitor.

There *were* Southern loyalists true and faithful, scorning all temptations addressed to their fidelity. Among others, in civil life, were Andrew Johnson, and Andrew J. Hamilton; in war, the glorious names of Generals Scott, George H. Thomas, Geo. G. Meade, and Admiral David G. Farragut. How do the names of Lee and Davis grow black in contrast with that of the hero of Lundy's Lane, of Gettysburg, and of Nashville, and the blunt, but honest sailor, who so nobly and gloriously triumphed over traitors at New Orleans and Mobile.

Shall we so teach our children? Shall we thus make up the record? or are all moral distinctions to cease? *Is treason odious?* Shall truth, fidelity, and patriotism continue to be honored, and falsehood, perjury, and treachery scorned? Or is there no distinction between Andrew Johnson and Jefferson Davis; between General Scott and General Twiggs; between George H. Thomas and Robert E. Lee; between David G. Farragut and Raphael Semmes?

The former were faithful, the latter faithless; the former kept their oaths, the latter broke them; the former shed their blood in heroic defense of their flag, and the latter deserted, and then made war upon it.

Somebody will be held responsible for the suffering of this terrible war. Unrepentant rebels and traitors are consistent in holding the Federal Government responsible. Loyal men cannot be consistent, in honoring Scott, Thomas, and Farragut, without condemning Twiggs, Lee, and Davis.

Of the officers who remained, a few were only half loyal. How would such men — the Government seeking to hold the slave States of Kentucky, Maryland and Missouri — treat the negroes?

The solution of this question was practically made, and the difficulties surrounding it, cut away by the clear, bold,

and direct mind of General Benjamin F. Butler, of Massachusetts. He had been a pro-slavery Breckinridge democrat. When his political friends at the South drew the sword, he, without hesitation, drew his for his country, and against them; and he was the first to lead a brigade to the defense of Washington.

In May, General Butler found himself in command at Fortress Monroe. One evening three negroes came into his camp, saying, "they had fled from their master, Colonel Mallory, who was about to set them to work on rebel fortifications!" If they had been Colonel Mallory's horses or mules, there could be no question as to what should be done with them. But so strangely deluded were the army officers, that up to that time, they had returned fugitive slaves to rebel masters, to work and fight for the rebel cause! Would Butler continue the folly?

He uttered the words, "*These men are contraband of war!*" This sentence, expressing an obvious truth, was more important than a battle gained. It was a victory in the direction of emancipation, upon which the success of the Union cause was ultimately to depend. He, of course, refused to surrender them, but set them at work on his own defenses. Up to this time, the South had fought to maintain slavery, and the Government, for fear of offending Kentucky, and other border States, would not touch it. Strange as it may seem, a rebel officer had the presumption, under a flag of truce, to demand the return of these negroes, under the alleged Constitutional obligation to return fugitive slaves. General Butler, of course, refused, saying, "I shall retain the negroes as *contraband of war!* You are using them upon your batteries; it is merely a question whether they shall be used for or against us." Other Generals of the Union army, were very slow in recognizing this obvious truth. General McClellan, on the 26th of May, issued an address to the people of his military district, in which he said, "Not only will we abstain from all interference with your slaves, but we will, on the contrary, with an iron hand, crush any attempt at insurrection on their part."

Early in June, the administration and the country, sustained a great loss in the death of Douglas. He died at Chicago, on the 3d; his death, hastened by the zeal and energy he exerted to aid and strengthen the Government to meet the dangers surrounding it.

Mr. Lincoln was deeply grieved by the death of his great rival, who had become one of his most valued advisers. Douglas had caused the repeal of the Missouri Compromise, and thereby precipitated the conflict between freedom and slavery; but for this repeal, probably the resort to arms might have been delayed for a generation; possibly by the influence of moral and peaceful agencies prevented; but as has been stated, he did all in his power to redeem the past, by giving all his influence to the Government when the conflict came. The moment the flag of the insurgents was raised, he tried to hush the voice of party strife, and rallied his friends to the support of his country. He died at a moment when he had the opportunity and the disposition to have rendered the greatest service to his country. Had he lived, his energetic, determined, positive character would have continued him a leader, and there would have been no voice louder, more emphatic than his, demanding prompt, vigorous, and decisive measures. The Nation will not forget him, and Illinois will cherish his memory, and as the early opponent, and later, the friend of Lincoln, his name will live as long as Lake Michigan shall roll her blue waves upon the shore where rest his remains.

CHAPTER X.

EXTRA SESSION OF CONGRESS — CIVIL POLICY AND MILITARY EVENTS TO THE CLOSE OF 1861.

CONGRESS — PRESIDENT'S MESSAGE — ACTION OF CONGRESS — BAKER'S REPLY TO BRECKINRIDGE — ANDREW JOHNSON — DENOUNCES DAVIS — THE REBEL LEADERS — PROMINENT SENATORS, AND MEMBERS — SUMNER, BAKER, FESSENDEN AND OTHERS — STEPHENS, COLFAX, LOVEJOY AND OTHERS — BILL TO CONFISCATE THE PROPERTY AND FREE THE SLAVES OF REBELS — THE ARMY NOT TO RETURN FUGITIVE SLAVES — CRITTENDEN'S RESOLUTION — BULL RUN — MCCLELLAN IN COMMAND — FREEMONT — HIS EMANCIPATION ORDER — LETTER OF HOLT — PRESIDENT MODIFIES THE ORDER — HIS REASONS — CAMERON'S INSTRUCTION TO SHERMAN IN S. C. — MILITARY MOVEMENTS IN THE FALL OF 1861 — DEATH OF LYON — BALL'S BLUFF — DEATH OF BAKER — BELMONT — THE TRENT AFFAIR — ARREST OF THE MARYLAND LEGISLATURE.

THE special session of the 37th Congress met at the Capital on the Fourth of July, agreeably to the call of the President. Hannibal Hamlin, Vice President, presided over the Senate, Galusha A. Grow of Pennsylvania was elected Speaker of the House, and Emerson Etheridge of Tennessee, Clerk.

In the Senate, twenty-three States, and in the House twenty-two States were represented. There were forty Senators, and one hundred and fifty-four Representatives, on the first day of the session. No Representatives appeared from Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, or Arkansas. Andrew Johnson, "faithful among the faithless," represented Tennessee in the Senate, and Horace Maynard and Andrew

J. Clements appeared and took their seats at the second session, in the House. Among the more prominent Senators of New England, who had already secured a National reputation, were Fessenden and Morrill of Maine, Hale and Clark of New Hampshire, Sumner and Wilson of Massachusetts, Collamer and Foote of Vermont, and Anthony of Rhode Island. New York was represented by Preston King and Ira Harris.

Mr. Hale, from New Hampshire, had been the leader of the old Liberty party. "Solitary and alone" in the United States Senate, by his wit and humor, his readiness and ability, he had maintained his position against the whole Senatorial delegation of the Slave States, and their numerous allies from the Free States. From Vermont, the dignified, urbane, and somewhat formal, Solomon Foote; his colleague was Jacob Collamer, a gentleman of the old school who had been a member of Cabinets, and was one of the wisest jurists and statesmen of our country. Preston King had been the friend and confidant of Silas Wright and Thomas H. Benton, and a leader at the Buffalo Convention; genial, true and devoted to the principles of democracy as enunciated in the Declaration of Independence. From Pennsylvania, was David Wilmot, who, while a member of the House, introduced the "Wilmot Proviso," which connects forever his name with the Anti-Slavery contest.

From Ohio, John Sherman, a brother of General Sherman, and late a distinguished Speaker of the House of Representatives and Chairman of the Committee on Finance; and Benjamin Wade, staunch, rude, earnest and true.

From Illinois, Lyman Trumbull and O. H. Browning, both distinguished lawyers, and competitors at the bar with Douglas and Lincoln. From Iowa, Senators Grimes and Harlan; from Wisconsin, Doolittle and Howe; from Michigan, Bingham and Chandler; from Indiana, Jesse D. Bright and Henry S. Lane; the latter of whom had presided over the Philadelphia Convention of 1856.

But many vacant chairs in these council chambers, impressed the spectator with the magnitude of the impending struggle. The old Chiefs of slavery were absent; some at

Richmond, others in arms against their country. The chair of their leader, Davis; that of the blustering Toombs; the accomplished, cautious Hunter; the polished Benjamin; the haughty, pretentious Mason; the crafty, unscrupulous Slidell, and their compeers, were all vacant. The seat of the "Little Giant" of Illinois, the ambitious but true patriot, Douglas, was vacant—not, thank God, from treason, but by death. Life-long opponents gazed sadly upon his unoccupied seat.

Well had it been for the fame of Breckenridge if his chair had been made vacant by early death. But still conspicuous among the Senators of this Congress, was the late Vice President, now the Senator from Kentucky. As the representative of one of the historic families of that State, no young man of the Nation, until 1860, had prouder prospects.

Entering into the conspiracy to divide the Union, he first permitted, as a preliminary step, his name to be used at Charleston for the Presidency, to divide the Democratic party. He came to the United States Senate in July, 1861, with no loyalty to the Union. He had on the 25th of April preceding, denounced the call of the President for troops, and advised, that in the event of the failure to arrest what he called coercion, Kentucky should unite with the South. He entered the Senate with the avowed determination to arrest, if possible, the efforts of the Administration to protect and maintain the Government by force. He had now few friends or sympathizers in Washington, and was regarded with distrust by his loyal associates. Dark and gloomy, he could be daily seen, without companions, wending his way to the Senate Chamber, where his voice and his votes were constantly exerted to thwart the measures introduced for maintaining the authority of the Constitution. He soon came to be looked upon as a spy as well as a traitor. It was obvious that his heart was with his old associates at Richmond.

As soon as the special session closed, he threw off all disguise, entered the Secession Camp, and joined his fortunes with the insurgents.

President Lincoln, in his message to this Congress, calmly reviews the situation. He calls attention to the fact, that at his inauguration, the functions of the Federal Government

had been suspended in the States of Georgia, South Carolina, Alabama, Mississippi, Louisiana, Texas and Florida. All the National property, in these States had been appropriated by the insurgents. They had seized all the forts, arsenals, &c., except those on the Florida coast, and Fort Sumter in Charleston harbor, and these were then in a state of siege by the rebel forces. The National arms had been seized and were in the hands of hostile armies. Large numbers of officers of the United States Army and Navy, had resigned and taken up arms against their Government. He reviewed the facts in relation to Fort Sumter, and showed that by the attack upon it, the insurgents began the conflict of arms, thus forcing upon the country immediate dissolution or war. No choice was left but to call into action *the war powers of the Government*, and to resist the force employed for its destruction, by force for its preservation. The call for troops was made, and the response was most gratifying. Yet no slave State except Delaware, had given a regiment through State organization. He then reviewed the action of Virginia, including the seizure of the National armory at Harper's Ferry and the Navy-yard at Gosport, near Norfolk. "The people of Virginia had permitted the insurrection to make its nest within her borders, and left the Government no choice but to deal with it, where it found it." He then reviews the action of the Government, the calls for troops, the blockade of the ports in the rebellious States, and the suspension of the writ of *habeas corpus*. He asked Congress to confer upon him the power to make the conflict short and decisive. He asked to have placed at his disposal, 400,000 men, and 400 millions of money. Alluding to the desire of the people to furnish the men and money necessary to maintain the Union, he said, "the people will save their Government, if the Government itself will do its part only indifferently well."

He calls attention to the fact, that ours is a Government of the people, and they appreciate it; that while large numbers of the officers of the army and navy had proved "false to the hand which had pampered them, not one common soldier or common sailor is known to have deserted his flag."

It is worthy of note, that the President in this, his first

message, as in so many of his speeches and State papers, calls attention to the great fundamental principle of our Government, the equality of all. He quotes the clause in the Declaration of Independence, that "*all men are created equal*," and contrasted it with the aristocratic features of the Government, sought to be created on its ruins. Those who knew Mr. Lincoln best, knew that he looked, confidently, to the ultimate extinction of slavery. It is clear, that in accordance with his cautious character, he hoped to destroy it by gradual emancipation. From the beginning, he watched and gladly used every means which his prudent and scrupulous mind recognized as right and proper, to hasten its ultimate overthrow.

Congress responded promptly to the call of the President, and voted 500,000 men, and 500 millions of dollars to suppress the insurrection.

At this memorable session, Congress commenced a series of measures, which, in connection with the action of President Lincoln and the victories of the Union arms, resulted in the downfall of African slavery.

On the 4th of December, 1861, a resolution introduced by Senator Trumbull, unanimously passed the Senate, "That John C. Breckinridge, the *traitor*, be, and he hereby is, expelled." Some of the debates of this session, were of exceeding interest. Among the most dramatic was a debate between Breckenridge, of Kentucky, and Colonel Baker, of Oregon. Breckenridge received from the fiery and eloquent Senator, a terrible rebuke for his treachery.

Baker, in a speech made on the 1st day of August, in reply to the treasonable utterances of Breckinridge, said:

"What would the Senator from Kentucky, have? These speeches of his, sown broadcast over the land, what clear distinct meaning have they? Are they not intended for disorganization in our very midst? Are they not intended to destroy our zeal? Are they not intended to animate our enemies? Sir, are they not words of brilliant polished *treason*, even in the very Capital of the Republic?" [Here there were such manifestations of applause in the galleries, as were with difficulty suppressed.]

Mr. Baker resumed, and turning directly to Mr. Breckinridge, enquired:

"What would have been thought, if, in another Capital, in another Republic, in a yet more martial age, a Senator as grave, not more eloquent or dignified than the Senator from Kentucky, yet with the Roman purple flowing over his shoulders, had risen in his place, surrounded by all the illustrations of Roman glory, and declared that the cause of advancing Hannibal was just, and that Carthage ought to be dealt with in terms of peace? What would have been thought if, after the battle of Cannæ, a Senator there had risen in his place, and denounced every levy of the Roman people, every expenditure of its treasure, and every appeal to the old recollections and the old glories?"

There was a silence so profound throughout the Senate and galleries, that a pinfall could have been heard, while every eye was fixed upon Breckinridge. Fessenden exclaimed, in deep low tones, "he would have been hurled from the Tarpean Rock!"

Baker resumed:

"Sir, a Senator, himself learned far more than myself in such lore, (Mr. Fessenden) tells me, in a voice that I am glad is audible, that 'he would have been hurled from the Tarpean Rock.' It is a grand commentary upon the American Constitution, that we permit these words of the Senator from Kentucky, to be uttered. I ask the Senator to recollect, too, what, save to send aid and comfort to the enemy, do these predictions amount to? Every word thus uttered, falls as a note of inspiration upon every Confederate ear. Every sound thus uttered, is a word, (and falling from his lips, a mighty word) of kindling and triumph to a foe that determines to advance."

This was that Baker, brilliant alike as an orator and a soldier, who, on the prairies of Illinois, had contested the palm of eloquence and popular favor with Lincoln and Douglas; he, who had gone to California, and pronounced the memorable funeral oration over the murdered Broderick, assassinated because, as he said, "he was opposed to the extension of slavery and a corrupt administration." Going thence to Oregon, he came to Washington as its Senator. After a short and brilliant career in the Senate, he fell, pierced with nine bullets at Ball's Bluff, one of the early martyrs of the war, because, as he said, "a United States Senator must not retreat."

In conspicuous contrast with Breckenridge, stood ANDREW JOHNSON, of Tennessee. Born in the humblest station, without the advantages of education, a man before he learned to read, yet his vigorous intellect and indomitable will soon raised him to distinction. In the winter of 1860–61, while all around him seemed treacherous and faithless, he stood firm, "faithful among the faithless." Confidence in his supposed firm integrity and unswerving patriotism were such, that a party with which he became associated only because it was identified with the cause of his country, generously offered him the second office in its gift.

On the 2d day of March, 1861, in reply to Senator Lane, of Oregon, Johnson, turning to the party of conspirators, who still lingered in the Senate, exclaimed, "who is it, that has fired on our flag? Who has given instructions to take our arsenals and dock-yards, to sack mints, and steal custom houses? Those who have done this, have they not been guilty of treason? Show me who has been engaged in these conspiracies, who has fired on our flag," said he, turning towards the rebel Senators, "Who telegraphed to take our forts, dock-yards, mints, and armories? Show me who did this, and I will show you *a traitor*."

This sentiment was received with applause by the galleries, crowded with Union men, then present in Washington to witness the inauguration of Mr. Lincoln. Mr. Clingman called for the clearing of the galleries, but it was not insisted on. "If individuals were pointed out to me," Johnson continued, "who were engaged in nightly conspiracies, in secret conclaves, issuing orders, directing the capture of our forts, and the taking of our custom houses, I would show you the traitors; and that being done, the persons pointed out, coming within the purview and scope of the Constitution, were I President, I would have done as Jefferson did with Aaron Burr — I would have arrested them, I would have caused them to be tried for treason, and if found guilty, by the Eternal God, I would execute them!" Such was the temper of Johnson, in 1861. He took his seat, the crowds in the galleries tried to repress their feelings, but they could not restrain themselves. First, a faint cheer from the ladies' gallery, then the clapping of a pair of fair hands — then one general, universal cheer, and

then three cheers for the Union, and three more for Andrew Johnson, shook the dome of the Senate Chamber.

Johnson had zealously supported Breckenridge for President, and yet, when his treason was developed, he did not hesitate one moment, in denouncing the traitor.

On the 27th of July, in a speech in reply to Breckenridge, after quoting a remark, that "when traitors become numerous enough, treason becomes respectable." Yet, said he, "God being willing, whether traitors be many or few, as I have hitherto waged war against traitors and treason, I intend to continue it to the end."

His denunciation of Jefferson Davis was vehement and severe. He said, "Davis — a man educated and nurtured by the Government, who sucked its pap, who received from it all his military instruction, a man who got all his distinction, civil and military, in the service of this Government, beneath its flag, and then without cause, without being deprived of a single right or privilege — the sword he unsheathed in vindication of the stars and stripes in a foreign land, given to him by the hand of a cherishing mother, he stands this day, prepared to plunge into her bosom."

Conspicuous among the body of able Senators from New England, was Charles Sumner, with a reputation as an orator, a scholar, a philanthropist, extending beyond his own country. He was recognized as worthy to represent the best and noblest, the most cultivated and purest manhood of Massachusetts. In intellect worthy to fill the place of Everett; in purity and learning, the worthy disciple of John Quincy Adams; in singleness of purpose, in devotion to the broadest humanity and liberty for all, he was a worthy representative of those, who first taught the great Christian principle of the common Father and the Universal brotherhood of man. He had experienced in his own person, the cowardly brutality and barbarism, the legitimate offspring of slavery. The same spirit which starved to death Union prisoners at Andersonville, had sought to assassinate Sumner in the Senate Chamber. The bludgeon of Brooks and the pistol of Booth, were alike aimed by slavery. Providence directed that the life of Lincoln should be crowned by the death of a martyr, but

had preserved Sumner to aid Lincoln in the great work of the *emancipation of a race.*

The speeches of Sumner, up to this time, had one defect, they were overloaded with learning. The great thought was too often concealed under many quotations. In the earnestness and gravity of the discussions during the war, this fault disappeared. His speeches, during the four years of Mr. Lincoln's administration, illustrate our history, while influential in moulding and guiding public opinion.

Among the more conservative of the New England Senators, was Jacob Collamer, of Vermont. He had held the position of Judge of the Supreme Court of that State, and had been Postmaster General under President Taylor. Distinguished for solid common sense, minutely familiar with his country's history and its laws, conscientious and self-poised, he exerted a commanding influence, and was always listened to with profound respect.

Senator Fessenden, Chairman of the Committee on Finance, and the successor of Mr. Chase, as Secretary of the Treasury, was another very able and learned New England Senator. Ever ready, ever well informed, keen, witty and sarcastic; as a general debater he had no superior. He was one of the most practical and careful statesmen in the Senate.

The House of Representatives of this memorable Congress, was composed generally, of men of good sense, respectable abilities, and of earnest patriotism, rather than of shining parts and high distinction. It represented and reflected the intelligence, integrity and patriotism of the American people. This Congress early realized, that it had two great duties towards which all its energies should be directed. These were to maintain the integrity of the Union, by subduing the rebellion, and extirpating its cause—African slavery.

The leader of the House, Chairman of the Committee of Ways and Means, Thaddeus Stevens, of Pennsylvania, united the wisdom of three score years and ten, with the vigor and energy of twenty-five. He was the most sarcastic, and witty, as well as the most eccentric member of the House. He was respected alike by friend and foe, and none desired a second encounter with him on the floor of the House. If he could

not demolish with an argument, he could annihilate with an epigram or a sarcasm. Ready, adroit, and sagacious, as well as bold and frank, he exerted a large influence upon the House and the country. He was bitter and uncompromising, rather adapted to the position of leader of the opposition, than to conduct and control the majority.

The most rising man in the House, was Schuyler Colfax, of Indiana, then in his fourth term, destined to be the Speaker of the House of Representatives during the Thirty-eighth and Thirty-ninth Congresses. Nature had given him an untiring capacity for work, quicksighted tact, much common sense, great frankness, and greater kindliness. Often differing from his political opponents, he never roused their anger by too strong statements, or too harsh an utterance; while those who knew him most, loved him best. Starting in life at the lowest point of a printing office, then an editor and publisher, he gave up business, after twenty years trial for politics, and became the representative man of his State. He has constantly improved since he entered Congress. Never an extreme radical in his views, yet he never wavers from his ideas of truth. Politics is now his profession, and no man better understands its secrets than Schuyler Colfax. As a parliamentarian, he had no superior in the House, and is one of the most rising statesmen of the West.

Justin S. Morrill, of Vermont, the author of the Morrill tariff, was one of the most laborious men in Congress. Not brilliant, but so well informed, with such a fund of practical knowledge on the subjects of taxation, tariffs, and finance, that he was a most useful member, and his influence upon all these subjects was very great.

Henry L. Dawes, of Massachusetts, occupied the important position of Chairman of the Committee on Elections. He was a man so perfectly just and fair; so candid and impartial, that he always commanded the respect of all parties. He had all the information and accurate knowledge of the New England gentleman. His State and section ever found in him a most able and eloquent defender. His colleague, *B. F. Thomas*, represented the Quincy district. He was a fine scholar, and a very able man, but too much of a lawyer for a

statesman. He was cramped by technicalities, and became too conservative for Massachusetts, and retired.

In the delegation from New York, were Roscoe Conklin, an able debater, and Abraham B. Olin, a leading member of the Committee on Military Affairs; Charles B. Sedgwick, Chairman of the Committee on Naval Affairs; E. G. Spaulding, a leading member of the Committee of Ways and Means; and Reuben E. Fenton, subsequently Governor of that State, and Erastus Corning, the President of the New York Central Railroad.

In the delegation from Pennsylvania, were Judge W. D. Kelly, an able debater, and an extreme radical; John Hickman, James H. Campbell, Hendricks B. Wright, Edward McPherson, John Covode, James K. Morehead, and the Speaker, Mr. Grow.

From Ohio, were Pendleton, Vallandigham, and Cox, leaders of the opposition, and James M. Ashley, and John A. Bingham, the latter one of the most ready, eloquent, and effective debaters in the House.

From the State of Illinois, as supporters of the President, were Washburne, Lovejoy, Kellogg, and Arnold. Among those who had supported Douglas, were Richardson, McClernand, and Logan. The two latter retiring after the special session and going into the army, became distinguished in the field.

Among the members from Wisconsin, was John F. Potter, a radical abolitionist, and a resolute, true man. During the Thirty-sixth Congress, he accepted a challenge from Roger A. Pryor, of Virginia, but Pryor did not choose to fight the member from Wisconsin.

Among the members known as anti-slavery men, the most widely distinguished, perhaps, was Owen Lovejoy, of Illinois. He was the brother of that Lovejoy, who fell a martyr to freedom and the liberty of the Press, at Alton, Illinois, twenty-five years before. After the death of his brother, kneeling upon his grave, he swore eternal hostility to slavery, and solemnly dedicated himself to the anti-slavery cause. He was a man of powerful frame, strong feelings, great personal magnetic power, and one of the most effective stump

speakers in the United States. As early as 1838, he aided in the organization of the Liberty party. He was by profession, a preacher of the Gospel, but he now went forth among the people, and with a tongue of fire, and a vehemence and passionate energy that ever carried the masses with him, spoke and preached against slavery. In the log school houses, the churches, on the open prairies, and in the groves of the West, he preached his crusade against slavery. His party grew and increased with each election. He was sent, first to the Illinois Legislature, and then to Congress, and there, while slavery yet held control, he did not hesitate to beard the lion in his den. He had seen the rise and growth of the anti-slavery cause, from the time when its friends were mocked, mobbed, outraged, and every way abused, until increasing and growing, it had become a power in the land; had elected a President, and now held control of both Houses of Congress.

In February 1859, during his first term in Congress, in reply to the furious denunciations of the slave holders, charging, among other things, upon the floor of Congress, that he was a "*negro stealer*" he indignantly and defiantly exclaimed:

"Yes, I do assist fugitive slaves to escape! Proclaim it upon the house-tops; write it upon every leaf that trembles in the forest; make it blaze from the sun at high noon, and shine forth in the radiance of every star that bedecks the firmament of God. Let it echo through all the arches of heaven, and reverberate and bellow through all the deep gorges of hell, where slave catchers will be very likely to hear it. Owen Lovejoy lives at Princeton, Illinois, and he aids every fugitive that comes to his door and asks it. Thou invisible demon of slavery! dost thou think to cross my humble threshold, and forbid me to give bread to the hungry and shelter to the houseless? I bid you defiance in the name of God."

The first great measure of this Congress, looking to the slave question, was a bill reported by Senator Trumbull, Chairman of the Judiciary Committee, to confiscate all property, and free all slaves used for insurrectionary purposes. Mr. Breckinridge vehemently opposed the bill, and stated that it was one of a series of measures which would amount to the "*loosening of all bonds.*"

Senators justified their vote for the bill, on the ground, that in the battle of Bull Run, fought on Sunday, July 21, the rebels had used the negroes and slaves in battle against the Union army. The bill passed the Senate by thirty-three to six. In the House of Representatives Mr. Burnett, of Kentucky, a member who joined the rebel army, immediately after the adjournment of Congress, declared that the bill would amount to a wholesale emancipation of the slaves in the rebellious States. Mr. Cox of Ohio, opposed the bill. Thaddeus Stevens, Chairman of the committee of Ways and Means, ably advocated it. He said:

"I warn Southern gentlemen, that if this war continues, there will be a time when it will be declared by this free nation, that every bondman in the South, belonging to a rebel, (recollect, I confine it to them,) shall be called upon to aid us in war against their masters, and to restore the Union."

On the third of August the bill passed. It is a remarkable fact, how reluctantly members touched slavery, and indicates how slowly the public mind came to the conclusion that the surest way to destroy the rebellion, was to destroy slavery. Some of the best and most patriotic men in Congress, voted against this bill; among them Messrs. Bailey, Crittenden, Diven, Haight, Hale, Odell, McPherson, Rollins and others.

From the beginning of the contest, the slaves flocked to the Union army, as to a haven of refuge. They believed freedom was to be found within its picket lines, and under the shelter of its flag. They were ready to act as guides, to dig, to work, to fight for liberty. The Yankees, as their masters called the Union troops, were believed by them, to come as their deliverers from long and cruel bondage. And yet, almost incredible as it may now seem, many officers permitted masters and agents to enter their lines and carry away, by force, these fugitive slaves. Many cruelties and outrages were perpetrated by these masters, and in many instances, the colored men, who had rendered valuable service to the Union cause, were permitted to be carried from beneath the flag of the Union back to bondage.

Lovejoy was most indignant at this stupid and inhuman treatment, and early in the special session, introduced a resolution declaring that it was no part of the duty of the soldiers of the United States, to capture and return fugitive slaves. This passed the House by the very large majority of ayes ninety three, nays fifty nine.

In the Senate, Mr. Powell of Kentucky, proposed to amend the Army Bill, by providing that no part of the army should be employed "in subjugating or holding, as a conquered province, any sovereign State, or in freeing any slave." The amendment was rejected. Senators from the slaveholding States were advised that slavery would not survive, in any State, the march of Union armies.

There were, in the border States, many Union men who desired to maintain the Union, and wished, also, that there might be no interference with the institution of slavery. These men, with the small band of anti-slavery men in Maryland, Kentucky and Missouri had rendered efficient aid in preventing those States from seceding. Their representative man in Congress was the aged, venerable, and eloquent John J. Crittenden of Kentucky. He had been the confidential friend and colleague of Clay, and had never faltered in his loyalty to the Union. He had been conspicuous in the session of the Thirty-sixth Congress, in attempting to bring about terms of compromise, to prevent the threatened war.

On the 15th of July, on motion of General John A. McClernand, the House, by a vote of one hundred and twenty-one, to five, adopted a resolution, pledging itself to vote any amount of money and any number of men, which might be necessary to ensure a speedy and effectual suppression of the rebellion.

On the 22d of July 1861, Mr. Crittenden offered the following resolution, defining the object of the war:

"*Resolved*, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in revolt against the Constitutional Government, and in arms around the Capital; that, in this National emergency Congress, banishing all feeling of mere passion or resentment, will recollect only its duty to the

whole country; that this war is not waged, upon our part, in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States; but to defend and maintain the supremacy of the Constitution, and to preserve the Union, with all the dignity, equality and rights of the several States unimpaired; that as soon as these objects are accomplished, the war ought to cease."

It was adopted by the House, there being only two dissenting votes. It served to allay the apprehensions of the border States, whose sensitiveness had been excited by the agents and abettors of the rebellion.

The special session of Congress confined its action to measures connected with the war, and did comparatively little in the way of general legislation. After long debate, it sanctioned the acts of President Lincoln, and voted more than all the men and means he had called for to suppress the insurrection. Its anti-slavery action was confined to a rebuke of the army officers for returning fugitive slaves; and the agitation and passage of the bill, confiscating the property, and freeing slaves employed to aid in the rebellion. This became a law on the 6th of August, and was the first in that series of measures, which resulted in the language of Breckinridge, in "*loosening all bonds.*"

But the discussions which occurred on the floor of the Capitol, contributed largely to the formation of that public sentiment, which resulted in the final overthrow of slavery by the President's Proclamation of Emancipation. The way was being prepared.

One of the most memorable speeches of this session, distinguished alike for its eloquence, boldness and sagacity, was that of Senator Baker, on a resolution approving the acts of President Lincoln in calling out men, in raising an army, suspending the writ of *Habeas Corpus*, and other acts to suppress the insurrection. He said:

"As a personal and political friend of the President, I approve of every measure of his administration, in relation to the troubles of the country. I propose to ratify whatever needs ratification. I propose to render my clear and distinct approval, not only of the measure, but

of the motive which prompted it. I propose to lend the whole power of the country—arms, men, money, and place them in his hands, with authority, almost unlimited, until the conclusion of this struggle. He has asked for $400,000,000. We propose to give him $500,000,000 He has asked for four hundred thousand men. We propose to give him half a million, and for my part, if, as I do not apprehend, the emergency should still be greater, I will cheerfully add a cipher to either of these figures.

"But, sir, while I do that, I desire by my word and my vote, to have it clearly understood, that I do that as a measure of war. As I had occasion to say in a very early discussion of this question, I want sudden, bold, forward, determined war. I do not think any body can conduct one of that kind, as well as a dictator. But, as a Senator, I deem it my duty to look forward to returning peace. I do not believe it will be longer than next February.

"Till danger's troubled night is o'er,
And the star of peace returns."'

Whether that peace shall be conquered at Richmond, or Montgomery, or New Orleans, or in the wilds of Texas, I do not presume to say; but I do know, if I may use so bold a word, that the determined aggregated power of the whole people of this country—all its treasure, all its arms, all its blood, all its enthusiasm kindled, concentrated, poured out, in one mass of living valor upon any foe, will conquer.

"I believe, with most gentlemen, that the Union sentiment will yet prevail in the Southern States. Bayonets are sharp remedies, but they are very powerful. I am one of those who believe that there may be reverses. I am not quite confident that we shall overrun the Southern States, as we shall have to overrun them, without severe trials of our courage and our patience. I believe they are a brave, determined people, filled with enthusiasm, false in its purposes, as I think, but still, one which animates almost all classes of their population. But however that may be, it may be that instead of finding within a year, loyal States sending members to Congress, and replacing their Senators upon this floor, we may have to reduce them to the condition of territories, and send from Massachusetts, or from Illinois, Governors to control them. It may be; and sir, if need come, I am one of those who would be willing to do it. I would do that; I would risk, even the stigma of being despotic and oppressive, rather than risk the perpetuity of the Union of these States. I repeat, and with that repetition I close. Fight the war through; accomplish a peace; make it so perfect and so permanent, that a boy may preserve it; and when you have done that, you have no more need for a standing army."

The right of the President to increase the regular Army, and to suspend the *Habeas Corpus* were gravely questioned. Indeed, so far as relates to the right to increase the regular Army, Mr. Lincoln himself, regarded it as an act called out by imperious necessity, and requiring the sanction of Congress to legalize. Mr. Sherman of Ohio, said:

"I believe that the President had the right, and that it was his duty to issue the Proclamation of April last. I believe he had a right; it was a part of the power of suppressing an insurrection, to blockade the ports of the States, or any of them. I do not believe the President of the United States, has the power to suspend the writ of *Habeas Corpus*, because that power is expressly given by the Constitution to Congress and to Congress alone; and therefore I cannot vote for either of the last three propositions—the fourth, the fifth or the sixth. Still, I approve of the action of the President. I believe the President did right. He did precisely what I would have done if I had been in his place; no more, no less; but I cannot, here, in my place as a Senator under oath, declare that what he did was legal. I may say it was proper, and was justified by the necessity of the case; but, I cannot, here, in my place, under oath, declare that it was strictly legal, and in consonance with the provisions of the Constitution. I shall, therefore, be compelled to vote against the resolution."

Congress by large majorities, both in the Senate, and in the House legalized and approved of all the acts, proclamations and orders of the President, respecting the Army and Navy, and calling out the militia and enrolling volunteers.*

There had, up to July, already gathered to the standard of the Union, many more men than the number mentioned in the President's call. These troops held Fortress Monroe and vicinity; garrisoned Baltimore, guarded the Baltimore and Ohio Railroad and other roads leading to the Capital, besides which, there were at Washington some 30,000 troops. A force under General George B. McClellan were driving the rebels out of West Virginia. The insurgents, under Beauregard, confronted the troops near the Capital, with an equal, if not superior force, holding a position along Bull Run Creek; their right resting on Manassas, and their left at

*Act of August 5, 1861.

Winchester, under General Johnston. It was determined to attack this force, and the Union army under General McDowell, left its camps near the Potomac on the 16th of July, and attacked the enemy on the 21st. The attack was skillfully planned, and was at first successful, until reinforcements under Johnson arriving opportunely at the crisis of the battle, saved the insurgents from a defeat, and enabled them to repulse the Union troops and drive them back from the base of the Blue Ridge, to the defences of Washington. There never was a more mortifying defeat than that sustained by the National forces at Bull Run. It took the people completely by surprise. They and the Union soldiers had not appreciated the strength and magnitude of the rebellion, nor the fierce vigor with which the rebels would fight.

With this battle commenced the exhibition of those ferocious cruelties and barbarities, which, to a great extent, characterized the insurgents during the war. There was a hatred and ferocity on the part of the rebels towards the Union soldiers, scarcely paralleled, and which was in striking contrast to the conciliatory feelings of the loyalists towards the rebels. The latter robbed and mutilated the dead upon the battle field, and wore the bones of the fallen as personal ornaments. These things it were well to forget, except that they illustrate the barbarism produced by slavery, and therefore, the truth of history demands their record. The slaveholders have ceased to exist, because slavery has been destroyed, but as a beacon and a warning, the real character of the men produced by this institution, should be truthfully described. The public mind was learning to recognize the rebellion as slavery in arms. It was advancing towards that position in which slavery was to be attacked directly. But yet, the Country, the Army and the President hesitated.

Much has been said by the Press about this battle being forced upon the military authorities by the President, who, it was asserted, had been influenced by popular clamor and the cry of "On to Richmond." It was said that General Scott was forced to fight this battle before he was ready. It is true, the cry of "On to Richmond" was very general, but it is known, that when General Johnston had escaped from

General Patterson, and was marching to join Beauregard, President Lincoln suggested to General Scott the propriety of delaying until Patterson's corps could co-operate with the Union army at Centreville. General Cameron, Secretary of War, returned from the field on Saturday before the battle, and urged the sending of re-inforcements; and five regiments were started towards Bull Run but did not reach there in time to participate in the engagement.

The disaster of Bull Run mortified the National vanity and pride, but aroused also the National spirit and courage. The morning following the defeat, witnessed dispatches flashing over the wires to every part of the North, authorizing the reception of the eager regiments, ready to enter the service and retrieve the results of the battle. The Administration and the people, immediately they learned of the loss of this battle, set themselves vigorously to increase and re-organize the army. Grave and thoughtful men left their private pursuits and organized regiments, and offered them to the Government. None were now refused.

The popular feeling through the loyal States again rose to an extent even greater and deeper than that which followed the attack upon Fort Sumter.

Perhaps there is no more striking and curious exhibition of it, than was shown in the devices and inscriptions upon the envelopes of letters passing through the post-office, among the masses of the people and the soldiers. Every envelope had engraved upon it, in rude wood-cuts or steel, some patriotic emblem, motto, or the head of some popular leader or General. The heads most frequently thus honored, at this time, were those of Washington, Scott, Lincoln, Lyon, Ellsworth, Douglas, McClellan, Anderson, Foote, Grant, Fremont, Rosecrans and Dix. The Flag, the Eagle, the National Arms, Liberty, the Temple of Freedom, the Capitol, and Mt. Vernon, were among the emblems engraved. Mottoes expressing devotion to the Union, to liberty, to loyalty, were almost universally printed on the envelopes: such as "Liberty or death;" "Liberty and Union;" "We have beat our last retreat;" "Victory or death;" "Death to Traitors;" "Strike till the last armed foe expires;" "One people and

one Government from ocean to ocean, from the Lakes to the Gulf;" Remember Ellsworth;" "Not a star shall fall;" "Our hearts are with the heroes who defend our glorious flag;" "Fear not, Abraham, I am thy shield, and thy exceeding great reward;" "Death to Slavery;" "Down with the slave-holders;"

> "We are coming, Father Abraham,
> Six hundred thousand more!"

These, and hundreds of others gave expression to the deep and all pervading feelings of the people.

Expeditions were organized and sent to the south, and Fort Hatteras was surrendered to the Union troops on the 28th August. On the 31st of October Port Royal came into possession of the Union army. The rebels were driven out of West Virginia, and General George B. McClellan, who had been in command there, and who was believed at the time, to possess military ability of a high order, was called to command the armies again gathering in vast numbers around the Capital. In October, General Scott retired on account of age and infirmity, and General McClellan was appointed to the command. The policy governing the Administration as announced on the close of the special session of Congress by the Secretary of War, was to receive all fugitive slaves, as well from loyal as disloyal masters, and employ them in the service of the United States, under such '*organizations*" and in such "*occupations*" as might be most convenient. The troops, however, were not permitted to interfere with the servants of peaceful citizens, nor were they to be permitted to encourage such servants to leave their masters, nor was the army to prevent the voluntary return of slaves. Slavery was still tenderly treated. The superstitious regard for it which pervaded the Nation, as if the Union was in some mysterious way bound up with the institution, still lingered. The question was not, as in stern war, how can most destruction be dealt to the slave holder, as the enemy of the Country? but rather, how can the country carry on war, and do the institution the least harm? But war is a stern and rapid teacher, and these long cherished notions, were fast disappearing before the roar of rebel guns and the flash of rebel swords.

John C. Fremont was abroad, at Paris, at the breaking out of the rebellion. This ardent soldier, whose adventures, in tracing a route across the Continent for the Pacific Railway, had given him the name of the "Path-finder," had long been the object of romantic admiration on the part of the American people. He had been the candidate of the Republicans for the Presidency in 1856, and he was, for a time, a popular idol among a large portion of the people. He hastened home and offered his sword to the Government. He was immediately appointed a Major General, and given command of the Western Department, embracing Missouri and a part of Kentucky. On the 31st of August, he issued an order declaring martial law throughout the State of Missouri, and declaring that the property, real and personal, of all persons in that State, who should take up arms against the United States, or who should be proved to have taken an active part with their enemies in the field, "is declared confiscated to the public use, and *their slaves, if any they have, are hereby declared free.*"

At this time, the contest in Kentucky, between the traitors and Unionists, was of doubtful result. The order went far beyond the act of Congress, which, up to this time, freed such slaves only as were used for insurrectionary purposes, or in aid of the rebellion. It was not in accordance with the instructions of the Secretary of War. It was clearly competent for the President, under the *war power*, and independent of the act of Congress, to issue such an order; but he was not prepared as yet to take such a step, and it was more proper, when taken, that it should emanate from the President, as the Commander-in-Chief, than from a subordinate, and apply, generally, throughout the States in rebellion. The order, however, was hailed with enthusiastic delight by impulsive and ardent patriots throughout the Union. Even the New York *Herald* approved it. But it tended seriously to embarrass the Executive, in his efforts to retain Maryland and Kentucky in the Union. The spirit in which it was received in Kentucky, appears from a letter of Hon. Joseph Holt to the President. After pointing out the violation of the act of Congress, he says:

"You may judge of the alarm and condemnation with which the Union loving citizens of Kentucky have received this proclamation. The hope is earnestly indulged by them, as it is by myself, that this paper was issued under the pressure of military necessity, which General Fremont believed justified the step; but that in the particulars specified, it has not your approbation, and will not be enforced in derogation of law. The magnitude of the interest at stake, and my extreme desire that by no misapprehension of your sentiments or purposes, shall the power and fervor of the loyalty of Kentucky be at this moment abated or chilled, must be my apology for the frankness with which I have addressed you, and for the request I venture to make, of an expression of your views upon the points of General Fremont's proclamation, on which I have commented.

The President, after mature deliberation, requested General Fremont to modify this order; but on the General's expressing a preference that the President should himself do so, Mr. Lincoln issued an order, modifying the proclamation of Fremont so far as to make it conform to the act of Congress.

Even this modification subjected the President to much censure; but his own explanation of his modification of this order contains a complete vindication of his conduct. He says:

When, early in the war, General Fremont attempted military emancipation, I forbade it, because I did not think it an indispensable necessity. When a little later, General Cameron, then Secretary of War, suggested the arming of the blacks, I objected, because I did not yet think it an indispensable necessity. When still later, General Hunter attempted military emancipation, I again forbade it, because I did not yet think the indispensable necessity had come. When, in March and May and July, 1862, I made earnest, and successive appeals to the border States, to favor compensated emancipation, I believed the indispensable necessity for military emancipation, and arming the blacks would come, unless averted by that measure. They declined the proposition, and I was, in my best judgment, driven to the alternative of either surrendering the Union, and with it the Constitution, or of laying strong hands upon the colored element. I chose the latter. In choosing it, I hoped for greater gain than loss, but of this I was not entirely confident. More than a year of trial now shows no loss by it in our foreign relations, none in our home popular sentiment, none in our white military force — no loss by it anyhow or anywhere. On the contrary, it shows a gain of quite a hundred and thirty thousand soldiers, seamen and laborers. These are palpable facts, about which, as facts, there can be no cavilling. We have the men, and we could not have had them without the measure.

And now, let any Union man who complains of this measure, test himself by writing down in one line, that he is for subduing the rebellion by force of arms; and in the next, that he is for taking these one hundred and thirty thousand men from the Union side, and placing them where they would be best for the measure he condemns. If he cannot face his case so stated, it is only because he cannot face the truth.

I add a word which was not in the verbal conversation. In telling this tale, I attempt no compliment to my own sagacity. I claim not to have controlled events, but confess plainly, that events have controlled me. Now, at the end of three years' struggle, the Nation's condition is not what either party or any man desired or expected. God alone can claim it. Whither it is tending seems plain. If God now wills the removal of a great wrong, and wills also that we of the North, as well as you of the South, shall pay fairly for our complicity in that wrong, impartial history will find therein new causes to attest and revere the justice and goodness of God.

From this time, strenuous efforts were being constantly made to induce the President to abandon what was called the "border State policy," and to proclaim universal emancipation of all the slaves, and also to arm and employ them as soldiers against the rebellion.

A step towards this policy, and another step towards emancipation was taken October 14, 1861, by the orders issued by General Cameron, as Secretary of War, to General Sherman, then about to assume command in South Carolina.

The following extract shows its character:

You will however, in general, avail yourself of the services of any persons, whether fugitives from labor or not, who may offer themselves to the National Government. You will employ such persons in such services as they may be fitted for, either as ordinary employees, or, if "special" [the word *special* interlined by President Lincoln, and in his own handwriting,] circumstances seem to require it, in any other capacity, with such organization in squads, companies or otherwise, as you may deem most beneficial to the service. ["This however not to mean a general arming of them for military service."*] You will assure all loyal masters, that Congress will provide just compensation to them for the loss of the services of the persons so employed. And you will assure all persons held to involuntary labor, who may be thus received into the service of the Government, that they will, under no circumstances, be again reduced to their former condition, unless at the expiration of their respective terms of service, they freely choose to return to the service of their former masters.

It is believed that the course thus indicated, will best secure the substantial rights of loyal masters, and the proper benefits to the United States, of the services of all disposed to support the Government, while it will avoid all interference with the social systems or local institutions of every State, beyond that which insurrection makes unavoidable, and which a restoration of peaceful relations to the Union under the Constitution, will immediately remove.†

This was the first authority conferred upon any commander to *avail* himself of the services of fugitives from labor, and authorizing their organization into "squads, companies or otherwise, as might be most beneficial to the service."

* This sentence interlined by the President.

†Taken from the original draft, with the President's interlineation, in possession of Mr. Cameron.

It was the inauguration of the policy of arming the colored men, and was a most memorable event in the progress of that history, which placed nearly two hundred thousand colored men in the service of the United States. The sensitiveness of the public mind appears by the peculiar terms of the order, and especially by the words interlined by President Lincoln, qualifying the order, and disclaiming the idea that this was to "mean a general arming of them for military service." It undoubtedly was the meaning and intention of the Secretary of War, except for such qualification, that there should be a general arming for military service, as private orders were given by General Cameron to General Sherman, to take with him to South Carolina ten thousand extra muskets. The execution of this order necessarily involved emancipation. It was submitted to the President, and received his careful consideration and deliberate sanction, and it was peculiarly appropriate that as the rebellion had its origin in South Carolina, the policy of emancipation should be inaugurated there.

In the meantime, what had been the progress of the Union arms? The disastrous battle of Bull Run occurred on the 21st of July. The administration, as has been stated, manifested the utmost vigor in reorganizing and enlarging the armies.

It now adopted the policy of placing at the head of the armies, young, ambitious and active men, and those who fully possessed the confidence of the people.

On the 25th of July, General Fremont had assumed command of the Department of the West. General N. P. Banks reached Harpers' Ferry, relieving General Patterson, by whose tardy movements General Johnson was enabled to reinforce Beauregard on the battle-field of Bull Run, and snatch victory from McDowell; and on that day, General George B. McClellan assumed command of the Army of the Potomac.

The command in West Virginia was given to General Rosecrans, who had gained distinguished reputation at Rich Mountain.

For the next ensuing three months, the greatest activity prevailed in organizing the Army of the Potomac. In the

Autumn, it had reached fully 200,000 men. Previous to the arrival of General Fremont in Missouri, the Union force had, under the gallant leadership of Generals Lyon and Sigel, greatly aided by the boldness, activity and prompt decision of Colonel Frank P. Blair, Jr., maintained the ascendency of the Union cause, and driven the rebels far towards the Southwest. The heroic Lyon fell at the battle of Wilson's Creek, while bravely leading a charge, and his loss to the Union cause was irreparable. More than any other, at that early day, he seems to have appreciated the magnitude of the rebellion. His action in Missouri was, from the first, prompt and bold. Modest, brave, rapid and decided, he left few equals. He ought to have been better supported. General Franz Sigel, a gallant German soldier, rallied the Germans of St. Louis, organized them into regiments, and rendered efficient service in maintaining in Missouri the Union supremacy.

It will be remembered that citizens of Illinois, scarcely waiting the action of the Government, had, on the opening of hostilities, promptly seized and held the very important strategic point of Cairo. This is the termination of the Illinois Central Railroad, at the confluence of the Ohio and Mississippi rivers, and is the key to the navigation of both. Such occupation was not too soon. Here began to be concentrated a very considerable force, and here came, very soon, the regiments of Colonels U. S. Grant, John A. McClernand, Palmer, B. M. Prentiss, Richard J. Oglesby, Paine, Wallace and others, whose names emblazon the records of Illinois. Commodore A. H. Foot, in August, assumed command of the naval forces being organized on the Western waters. The insurgent General Sterling Price, Governor Jackson, and Ben. McCullough, of Texas, were very actively engaged in movements to overrun and hold Missouri. On the 12th of September, Price attacked, with overwhelming numbers, the heroic Colonel Mulligan at Lexington, and notwithstanding a most gallant defense, compelled his surrender. As Fremont, in command in Missouri, was pursuing Price with a confident belief of overtaking and crushing him, he was, on the 2d day of November, relieved

of his command. General Fremont was the victim of indiscreet friends, of military jealousy, and political opposition. General Hunter, who temporarily relieved him, withdrew from the further pursuit of Price, in accordance with suggestions or orders from Washington.

On the 29th of August, General Butler, acting in conjunction with a naval force under Commodore Stringham, captured and took possession of the forts at Cape Hatteras, taking near seven hundred prisoners, guns, and a large amount of material of war.

General McClellan had organized, armed and drilled the immense army which had gathered around Washington; but as time passed on, and this great force remained inactive, shut up in the defenses of the Capital, the Potomac closed, and the rebel flag in view from the National Capitol, great impatience was felt at the inactivity of this army. Sensible men early perceived, that while in men, material of war and resources, we were greatly superior to the rebels, this inactivity was exhausting our resources, and that under it the Union cause was losing prestige; and the National spirit chafed and fretted against the humiliating spectacle of an army, 200,000 strong, permitting itself to be shut up, and almost in a state of siege.

On the 21st of October, occurred the sad butchery of Ball's Bluff; evidently a blunder and a sacrifice, for which McClellan was responsible. At this battle fell the eloquent and brave Senator from Oregon, Colonel Baker. In the light of subsequent events, it is most clear that this blunder should have caused the removal of McClellan. Had the President then relieved him, and could he have found a Grant, a Sheridan or a Sherman, to have placed in command, what myriads of lives might have been saved! But McClellan had enjoyed the confidence of Scott, and Mr. Lincoln having given him his confidence, was very slow to withdraw it.

If he had remembered that McClellan had been a favorite of Jefferson Davis, while the latter was Secretary of War—that he had been sent by him to the Crimea, to learn, from the Armies of France, Great Britain and Russia, how to fight, and that his early political associations had been with

the leaders of the rebellion and their sympathizers in the North—he would, perhaps, have been more slow in yielding his confidence, and more prompt in relieving him from command.

On the 16th of November, a force under Generals Grant and McClernand, advanced from Cairo to Belmont, attacked the rebel camp under General Cheatham, captured twelve guns, burned the camp, and took many prisoners. The gunboats *Tyler* and *Lexington* accompanied the expedition, and rendered efficient aid.

A few months after this battle, there came to Washington a fine, intelligent, young man, of pleasing address and manly bearing, who had lost his right arm at Belmont. He came highly recommended to ask the position of assistant commissary of subsistence, with the rank of captain. The Secretary of War, owing to some misapprehension, treated him with some rudeness, whereupon the Member of Congress by whom he was presented took him to the President. Upon his being introduced, Mr. Lincoln, glancing at the eloquent, empty sleeve, said: "My friend, can you write." "O yes," said the young soldier, "here is some of my writing." Looking at it, Mr. Lincoln instantly directed his appointment. "It is little I can do for you, to repay you for the loss of that arm,' said he, "but I gladly do this." No wounded soldier ever approached Mr. Lincoln but he was received with the greatest kindness and friendship.

On the 10th of November, General Halleck assumed command of the Department of the West.

On the 8th of November, Commodore Wilkes, in the *San Jacinto*, intercepted the *Trent*, a British mail steamer from Havana, with Messrs. Mason and Slidell, late Senators, and then rebel agents on their way to represent the Confederacy at the Courts of St. James and St. Cloud. He took them prisoners, and bringing them to the United States, they were confined at Fort Warren, in Boston harbor.

The impulse of the people, already indignant at the conduct of Great Britain, exasperated by her early recognition of the rebels as belligerents, was to adopt, and take the consequences of an act which gratified popular passion and pride.

Congress was in session, and the House of Representatives, on motion of Lovejoy, immediately adopted a resolution of thanks to Captain Wilkes. Fortunately, the President and Secretary of State were cool and reticent, and did not yield to the passion of the day. Great Britain demanded their release. The President and Secretary carefully examined the precedents.

Were Mason and Slidell "contraband of war?" If so, was the method of their capture justifiable? Resistance to the right of search had been one chief cause of the war with Great Britain in 1812. "One war at a time," said Mr. Lincoln.

Mr. Seward concluded the argument of one of the ablest and most remarkable State papers of modern times in these words: "If I decide this case in favor of my own Government, I must disavow its most cherished principles, and reverse and forever abandon its essential policy. The country cannot afford the sacrifice. If I maintain those principles, and adhere to that policy, I must surrender the case itself." The rebel emissaries were cheerfully surrendered to Great Britain.

Had President Lincoln, yielding to popular clamor, accepted the challenge of Great Britain and gone to war, he would have done exactly what the rebels desired, and thus made Messrs. Mason and Slidell incomparably more useful to the insurgents than they were able to be by hanging around the courts to which they were accredited. The sober second thought of the public cheerfully acquiesced in the course which their judgments approved.

The Confederate Government had relied with great confidence on its early recognition by the great powers of Europe, and the immediate concession to them of belligerent rights, encouraged them in this expectation. The leaders of the rebellion had been, to a great extent, the governing power at Washington, and there is no doubt, had received before the war opened, the encouragement of the representatives of European Kingdoms. The Confederates, therefore, rather rejoiced in the seizure of Slidell and Mason, believing it would bring on a war with Great Britain, and their own

recognition. But Mr. Lincoln, with the sagacity which marked his career as a statesman, determined that so long as there was no recognition of the rebels as a nation, not to bring on a war. "One war at a time," said he.

It is known that Lord Palmerston, and it is believed that several other of the British Statesmen, desired to fight the United States in regard to the Trent affair. It is known that France would have followed Great Britian in recognizing the Confederacy. A war with France and England, and with the rebels at the same time, would have taxed the power and resolution of the loyal people of the United States to the utmost. But it would have inspired an energy and an earnestness, that was long wanting in the conduct of the war on our "Southern brethren."

The failure of Mr. Buchanan's administration to arrest persons known to be plotting treason, has caused some members of that administration to be regarded as *particeps criminis* in the civil war which followed. Mr. Lincoln's administration was slow in making such arrests; but as its absolute necessity became clearly apparent, the writ of *habeas corpus* was suspended, the power was executed.

George P. Kane, Chief of Police of Baltimore, the Mayor and Police Commissioners of that city, the Mayor of Washington, and many others were arrested; but more important than all, was the arrest of the Legislature of Maryland.

The majority of the Legislature of Maryland were secessionists. The Executive, and a majority of people, were for the Union. Several of the insurgent States had been precipitated into hostilities by the Legislature passing acts or ordinances of secession.

In September, 1861, the Secretary of War received information that the insurgents in Maryland, were to procure the passage by the Legislature of that State, of an act of secession, and he issued an order to General McClellan to prevent it, by the arrest of all, or any part of the members thereof.

Directions were issued by General McClellan to General Banks, to execute this order. In his instructions, dated September 12th, General McClellan says:

Some four or five of the chief men in the affair are to be arrested to-day. When they meet on the 17th, you will please have everything prepared to arrest the whole party, and be sure that none escape. * * If successfully carried out, it will go far towards *breaking the back-bone of the rebellion.* * * I have but one thing to impress upon you; the absolute necessity of secresy and success.

The order was successfully executed; the meeting of the Legislature broken up, and Maryland saved from a civil war among her own citizens.

This act has been censured as an arbitrary arrest. However arbitrary, it was a necessary measure, and in the propriety of which General McClellan fully coincided.

Governor Hicks, said in the Senate of United States, "I believe that arrests, and arrests alone, saved the State of Maryland from destruction. I approved them then, and I approve them now."

CHAPTER XI.

SECOND SESSION, THIRTY-SEVENTH CONGRESS—CONGRESS OF 1862.

PRESIDENT'S MESSAGE—REPORT OF SECRETARY OF WAR—MODIFIED BY THE PRESIDENT—STANTON SUCCEEDS CAMERON—ANTI-SLAVERY MEASURES—ARTICLE OF WAR PROHIBITING THE RETURN OF FUGITIVE SLAVES—SLAVERY ABOLISHED AT THE CAPITAL—PROHIBITED IN ALL THE TERRITORIES—NEGRO SOLDIERS—MILITARY ORDERS IN REGARD TO SLAVES—HUNTER'S NEGRO REGIMENTS IN SOUTH CAROLINA—WICKLIFFE'S RESOLUTION—HUNTER'S REPLY—BILL TO GIVE FREEDOM TO THE FAMILIES OF NEGRO SOLDIERS.

CONGRESS assembled at its regular session, December 2d, 1861, and found the grand drama of rebellion fully opened and developed. Two hundred thousand Union troops on the banks of the Potomac, confronted a rebel army then supposed to be of equal numbers, but now known to have been far less. The magnitude of the American rebellion, and the principles involved, had attracted the attention of the world, which was watching with deep interest the progress of events. The common people, the lovers of liberty and free institutions, were hopeful, yet anxious for the issue. Those who had no faith in man's capacity for self-government, those whose interests were in making firm and permanent old dynasties, were already exulting over the failure of the American Republic, as "another bubble burst," another fruitless effort at self-government. Meanwhile, the issue between freedom and slavery began to be more sharply defined.

The forbearance of the Government on the subject of slavery, was cited by rebel emissaries in Europe, as evidence

that the issue was not freedom against slavery, but empire and subjugation against independence and self-government.

It was obvious that sound statesmanship, as it regarded our cause both at home and abroad, required a more vigorous policy. It became every day more clear that slavery was not only the cause of the war, but, as treated thus far, an element of great strength, and a bond of union to the rebel States. The neglect of the government to strike decisive and fatal blows at this institution, especially to those who did not know and appreciate the condition of affairs in Maryland and Kentucky, was inexplicable, and had encouraged the enemies, and paralyzed the friends of the republic abroad. The friends of the administration impatiently asked, if the time had not arrived for making war directly upon slavery? They insisted that this source of strength to the rebels could be made a source of weakness; that the millions of colored people were the friends of the Republic, and could be made to aid its cause against their masters. The period was critical. Bull Run and Ball's Bluff were unavenged, and the great army under McClellan had as yet done nothing to give confidence to the country. The Confederates were striving to secure recognition abroad, Mason and Slidell, were in Fort Warren as prisoners taken from beneath the folds of the British flag, and England, backed by France, would make the refusal to surrender them a cause of war.

Such was the condition in which Congress assembled, and received the President's message, in December, 1861.

This message has fewer of the characteristics of Mr. Lincoln, than any other of his State papers. The truth is, he was feeling his way, revolving the slavery question, and was scarcely yet ready to announce a settled policy on that subject. He congratulates Congress that the patriotism of the people had proved equal to the occasion, and that the number of troops tendered, greatly exceeded the force called for.

He calls the attention of Congress to the fact, that Maryland, Kentucky, and Missouri, neither of which at his first call for troops in April, had promised a single soldier, had, at the date of the message, not less than 40,000 men in the

field under the Union flag; and that in West Virginia, the Union men, after a severe struggle, were masters of the country. He announced the retirement of General Scott, and stated that public sentiment and the recommendation of the Lieutenant General, and Executive confidence, had all indicated General McClellan as the man upon whom to place the command.

He said that the insurgents at the beginning, confidently claimed a strong support from North of Mason and Dixon's line, and that the friends of the Union were not free from apprehension on the point. But this was soon settled, the people of the free States were united for the Union. Of the slave States, little Delaware was right from the first. Maryland was made to seem against the Union. The soldiers of the Republic were assaulted, bridges were burned, and railroads torn up within her limits, and the Government had been at one time, for several days without the ability to bring a single regiment over her soil to the Capital. Now all this was changed. She had already given seven regiments to the Union cause, and none to the enemy. Kentucky, for sometime in doubt, was now, decidedly, and he hoped, unchangeably, on the side of the Union. Missouri was comparatively quiet, and he believed could not be again overcome by the insurrectionists.

Upon the policy on the slavery question, he said, "I have adhered to the act of Congress, confiscating property, and freeing persons held to service, used for insurrectionary purposes." On the subject of emancipating and arming negroes, he said, "The Union must be preserved, and all indispensable means must be used, but he deprecated haste in the use of extreme measures, which might reach the loyal, as well as disloyal."

It is worthy of notice as illustrative of his views of the condition of the insurgent States, and the *power of Congress* over them in time of war, that he recommends the establishment *by act of Congress*, of courts in the insurgent States, when brought under the control of the National Government, in which civil rights might be adjudicated.

This is his language on that subject:

"I have been urgently solicited to establish by military power, courts to administer summary justice in such cases. I have thus far declined to do this, because I have been unwilling to go beyond the pressure of necessity in the unusual exercise of power. But the *power of Congress* I suppose, is *equal* to the anomalous condition, and therefore I refer the whole matter *to Congress* with the hope that a plan may be devised for the administration of justice in all such parts of the insurgent States as may be under the control of this Government."*

The courts were to be temporary, but the recommendation is conclusive, that he recognized fully, the right of Congress to legislate for the insurgent States, while in a condition of war, and before they were restored to their proper relations to the Union.

He reviewed at some length, the condition of affairs, the advantages of our democratic institutions; and expressed his deep convictions that the fate of free government was involved in the contest. "The struggle," said he, "of to-day, is not altogether for to-day. It is for a vast future also."

Mr. Cameron's report, as Secretary of War, was a very important paper. After reciting the operations of the army, he states that under the call for 75,000 men, made by the President, and under the call for 500,000 volunteers for three years, authorized by act of Congress in July, there had been raised an army of 600,000 men.

His report, as originally prepared, ably discussed and strongly recommended the arming and emancipation of the slaves of the seceding States. This part of the report was not submitted to the President until it was in print. When it was then brought to the knowledge of Mr. Lincoln, he expressed surprise and some displeasure, that a member of his Cabinet should have prepared and printed such a report, without first submitting it to him, and he caused the report to be modified. A portion of this report is here presented as a very clear and able presentation of the great question which was then agitating the public mind:

"It has become a grave question for determination, what shall be done with the slaves abandoned by their owners on the advance of our

*Message of December 3d, 1861. McPherson's Political History, p. 132.

troops into Southern territory, as in the Beaufort District of South Carolina. The whole white population therein is six thousand, while the number of negroes exceeds thirty-two thousand. The panic which drove their masters in wild confusion from their homes, leaves them in undisputed possession of the soil. Shall they, armed by their masters, be placed in the field to fight against, or shall their labor be continually employed in producing the means for supporting the armies of the rebellion?

"It was the boast of the leader of the rebellion, while he yet had a seat in the Senate of the United States, that the Southern States would be comparatively safe and free from the burdens of war, if it should be brought on by the contemplated rebellion, and that boast was accompanied by the savage threat that 'Northern towns and cities would become the victims of rapine and military spoil,' and that 'Northern men should smell Southern gunpowder and feel Southern steel.' No one doubts the disposition of the rebels to carry that threat into execution. The wealth of Northern towns and cities, the produce of Northern farms, Northern workshops and manufactories, would certainly be seized, destroyed, or appropriated as military spoil. No property in the North would be spared from the hands of the rebels, and their rapine would be defended under the laws of war. While the loyal States thus have all their property and possessions at stake, are the insurgent rebels to carry on warfare against the Government in peace and security to their own property?

"Reason, and justice, and self-preservation, forbid that such should be the policy of this Government, but demand, on the contrary, that, being forced by traitors and rebels to the extremity of war, all the rights and powers of war should be exercised to bring it to a speedy end.

"Those who make war against the Government, justly forfeit all rights of property, privilege or security derived from the Constitution and laws against which they are in armed rebellion; and as the labor and service of their slaves constitute the chief property of the rebels, such property should share the common fate of war, to which they have devoted the property of loyal citizens.

"As has been said, the right to deprive the rebels of their property in slaves and slave labor, is as clear and absolute, as the right to take forage from the field, or cotton from the warehouse, or powder and arms from the magazine. To leave the enemy in the possession of such property as forage and cotton, and military stores, and the means of constantly reproducing them, would be madness. It is, therefore, madness to leave them in peaceful and secure possession of slave property,

more valuable and efficient to them for war, than forage, cotton, and military stores. Such policy would be National suicide. What to do with that species of property, is a question that time and circumstances will solve, and need not be anticipated further than to repeat that they cannot be held by the Government as slaves. It would be useless to keep them as prisoners of war; and self-preservation, the highest duty of a government, or of individuals, demands that they should be disposed of, or employed in the most effective manner, that will tend most speedily to suppress the insurrection, and restore the authority of the Government. If it shall be found that the men who have been held by the rebels as slaves, are capable of bearing arms, and performing efficient military service, it is the right, and may become the duty of the Government to arm and equip them, and employ their services against the rebels, under proper military regulation, discipline and command.

"But in whatever manner they may be used by the Government, it is plain that, once liberated by the rebellious act of their masters, they should never again be restored to bondage. By the master's treason and rebellion, he forfeits all right to the labor and service of his slave; and the slave of the rebellious master, by his service to the Government, becomes justly entitled to freedom and protection.

"The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom of Congress. The representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution."

The foregoing gives the substance of Mr. Cameron's argument. By direction of the President, that part of it in regard to emancipation and the arming of freedmen, was so modified as to read as follows:

"It is already a grave question what shall be done with those slaves who were abandoned by their owners on the advance of our troops into Southern territory, as at Beaufort District, in South Carolina. The number left within our control at that point is very considerable, and similar cases will probably occur. What shall be done with them? Can we afford to send them forward to their masters, to be by them armed against us, or used in producing support to sustain the rebellion? Their labor may be useful to us; withheld from the enemy it lessens his military resources, and withholding them has no tendency to induce the horrors of insurrection, even in the rebel communities. They constitute a military resource, and being such, that they should not be

turned over to the enemy, is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce them?

"The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country."

On the 14th of January, 1862, Simon Cameron resigned the position of Secretary of War, and Edwin M. Stanton was appointed his successor. This appointment of a man who had held a position in the Cabinet of Buchanan was at first a matter of some surprise to the Republican friends of the President.

The President was recommended to make this appointment by Senator Wade, of Ohio, John A. Bingham, of the House, and other radical members of Congress. The President himself thought it expedient to give the appointment to a war democrat if a suitable man could be found. It was believed Stanton would be for vigorous fighting. Senator Wade said: "If the democrats think they have gained anything by the appointment of Stanton, as Secretary of War, they will learn their mistake; they will find they have caught '*a tartar.*' Stanton (in his own rough phrase) is for fight in earnest."

The new Secretary soon gave proof of his great energy, his wonderful industry, and his power as an organizer. He was always a belligerent, looking at great ends, not very scrupulous about the means of removing the obstacles which stood in his path, and somewhat careless of the forms and restraints of law. Honest and true, and intensely in earnest: if a thing was right in itself, he would cut through, or break over all formal obstacles which stood in his way. His temper was irritable, but placable. There were many instances of cruel injustice, which the more patient and just Mr. Lincoln was compelled to correct, but he himself was ready to repair a wrong when convinced he had committed one. He acted with the radicals in Congress more, it is believed,

because they were in earnest, than on account of sympathy with their principles. He hated the slaveholding traitors more than he loved liberty.

This, the first regular session of the Thirty-seventh Congress, made large advances towards the entire abolition of slavery. Its measures were justly characterized by a Senator as looking to universal abolition. By its legislation and its grand debates, this Congress prepared the way for the great edict of emancipation issued by Abraham Lincoln. The great anti-slavery measures which will hand down this Congress to immortality, were—*First*, The abolition of slavery at the National Capitol. *Second*, The prohibition of slavery in all the Territories. *Third*, The setting free the slaves of rebels. *Fourth*, Giving legal authority to employ colored men, as soldiers, thus converting slaves into patriotic Union soldiers. *Fifth*, The enactment of an additional article of war, prohibiting any officer or person in the military or naval service, under pain of dismissal, from aiding in the arrest of any fugitive slave.

These great measures were carried after long discussion, and able and full debate. The truth of history, and justice to great principles, and those who advocate them, require that the world should know the history of these measures which have changed the character of the republic for all time to come.

The delays and inactivity of the army, and dissatisfaction with its movements, resulted in the creation by Congress, on the 18th and 19th of December, of the Joint Committee on the conduct of the war. This committee was composed of Senators Wade, Chandler, and Andrew Johnson, of Tennessee, on the part of the Senate; on Mr. Johnson being appointed Military Governor of Tennessee, Mr. Wright, of Indiana, was appointed in his place; and Messrs. Gooch, Covode, Julian and Odell, of the House.

Many of the army officers had disregarded the act of Congress giving freedom to all slaves employed to aid the rebels. Rebels and rebel officers, under flags of truce, continued to enter the Union lines, and Union officers had been guilty of surrendering to them colored men who had fled to their

camps, bringing most valuable information. This was, however, far from being a universal practice. General Curtiss, of Iowa, in command in Arkansas, ordered immediate emancipation of all slaves who had been at work for the Confederacy by consent of their masters. So did General Hunter in South Carolina, and he continued to do this until his general order of the 9th of May, 1862, declaring free all slaves in his department, consisting of South Carolina, Georgia and Florida.

The House had scarcely completed its organization, when Lovejoy, indignant that loyal negroes should still be sent back to slavery from the camps of the Union army, on the 4th of December, introduced a bill making it a penal offence for any officer to return a fugitive slave. Senator Wilson gave early notice of a bill in the Senate for the same purpose. The various propositions on the subject finally resulted in the enactment of an additional article of war, forbidding, on pain of dismissal from the service, the arrest of any fugitive, by any officer or person in the military or naval service of the United States.

The location of the Capital on slave territory had proved one of the most important triumphs ever achieved by the slaveholders. The powerful influence of society, local public sentiment, fashion, and the local press, in favor of the institution, was ever felt; and its power, from 1800 to 1860, could scarcely be over-estimated. Our country had long been reproached and stigmatized by the world, and the character of a pro-slavery despotism over the colored race fixed upon it, by reason of the existence of slavery at the National Capital. The friends of liberty had for years chafed and struggled in vain against this malign influence. Congress had supreme power to legislate for the District of Columbia, and was exclusively responsible for the continued existence of slavery there. Mr. Lincoln, it will be remembered, when serving his single term in Congress, had introduced a bill for its gradual abolition. The President and the friends of the Union and of liberty, at the opening of this Congress, thought it quite time this relic of barbarism at the National Capital should be destroyed. On the 4th of

December, Senator Wilson, of Massachusetts, introduced a resolution that the Committee on the Judiciary be directed to consider the expediency of abolishing slavery in the District of Columbia, with compensation to loyal owners.

On the 15th of December, he introduced a bill for the immediate emancipation of slaves, and the payment to their loyal owners of an average sum of $300, and providing for the appointment of commissioners to assess the sums to be paid each claimant, and appropriating one million of dollars for the purpose.

The debates upon this bill, involved the whole subject of Slavery, the rebellion, the past, present and future of the country. Mr. Davis of Kentucky, made a very remarkable prediction to the Senate and the country, saying, "If you should liberate the slaves in the rebellious States, the moment you *re-organize the white inhabitants of these States, as States of the Union*, they would reduce these slaves again to a state of slavery, or they would expel them, or hunt them like wild beasts and exterminate them." Such was the humane sentiment of the exponent of slavery! And yet, recent events indicate that there was too much of truth in it.

Senator Willey of West Virginia, opposed the bill as a part of a series of measures already initiated, looking to the universal abolition of slavery by Congress.

In the midst of this grave debate involving their liberty, many of the more intelligent colored men thronged to the galleries of the Senate, and listened, while Senators urged reasons for and against setting them free. Eager, anxious and hopeful, this impressible race could not suppress the exhibition of the intense solicitude they felt in the result. Their dark faces lighted up and saddened with the varying progress of the debate. Senator Davis could not appreciate their feelings, and he called attention to, and seemed himself astonished at their audacity. "I saw," said he, "a few days ago, several negroes thronging the open door, listening to the debate on this subject, and I suppose in a few months, they will be crowding white ladies out of the galleries!"

Some Senators desired to couple with emancipation, colonization of the colored races. Others objected to paying the

masters for the slaves, and insisted that if money was to be paid, it ought to be fairly divided between the master and the slave, on an equitable adjustment of wages for labor, and an equivalent rendered by the master. Mr. Sumner closed an eloquent speech in favor of the bill by saying, "Slavery will give way to freedom, but the good work will proceed. What God and Nature decree, rebellion cannot arrest. And as the whole wide-spread tyranny begins to tremble, then, above the din of battle, sounding from the sea, and echoing along the land, above even the exultations of victory on well fought fields, will ascend the voices of gladness and benediction, swelling from generous hearts, wherever civilization bears sway, to commemorate a sacred triumph, whose trophies instead of tattered banners, will be ransomed slaves."

The bill passed the Senate by yeas, twenty-nine, nays, six.

When the bill came up for action in the House, containing as it did an appropriation of money, under the rules, it was necessarily referred to the Committee of the whole House. As there was a large number of bills in advance of it on the calender, its enemies, although in a minority, had hopes of delaying action or defeating it.

The struggle to take up the bill came on the 10th of April, under the lead of that accomplished, adroit, and bold parliamentarian, *Thaddeus Stevens*. He moved that the House go into committee, which motion was agreed to, Mr. Dawes of Massachusetts, in the Chair. The Chairman called the calender in its order, and on motion of Mr. Stevens, every bill was laid aside until the bill for the abolition of slavery in the District was reached. An unsuccessful effort to lay the bill on the table was made by a member from Maryland.

F. P. Blair, Jr., in an able speech, advocated colonization in connection with abolition. He said: "It is in the gorgeous region of the American tropics, that our freedmen will find their homes; among a people without prejudice against their color, and to whom they will carry and impart new energy and vigor, in return for the welcome which will greet them, as the pledge of the future protection and friendship of our great republic; I look with confidence to this move-

ment, as the true and only solution of this question of slavery."*

The venerable John J. Crittenden of Kentucky, opposed the passage of the bill. He expressed fears that its passage would strengthen the apprehension that Congress would interfere with slavery in the States, to the fear of which he attributed the war. He opposed it also, because it was a link in the chain of universal emancipation.

He was replied to by Mr. Bingham of Ohio, a gentleman of vehement, impassioned eloquence, and of an acute and discriminating mind. On the subject of human rights, he was always ardent and full of enthusiasm in favor of freedom. After alluding to the fact that none denied the constitutional power of Congress to abolish slavery, he considered the question of expediency. Speaking in reply to Mr. Crittenden concerning a quotation made by the venerable member from Kentucky, from Magna Charta, he said:

"That great charter which the Barons wrung from the trembling, unwilling hands of their King six centuries ago, and which the historian of the English Constitution declares to be "the keystone of English liberty," only provided in the section which the gentleman cited, that "no freeman shall be taken or imprisoned, or disseized or outlawed, or banished, or anyways injured, nor will we pass upon him nor send him, unless by legal judgment of his peers, or by the law of the land." —*Magna Charta, sec. 45.*†

"That provision, sir, only protected from unjust seizure, imprisonment, disseizin, outlawry, and banishment, those fortunate enough to be known as FREEMEN; it secured no privileges to vassals or slaves. Sir, our Constitution, the new *Magna Charta*, which the gentleman aptly says is the greatest provision for the rights of mankind and for the amelioration of their condition, rejects in its bill of rights, the restrictive word "freeman," and adopts in its stead, the more comprehensive words "no person," thus giving its protection to all, whether born free or bond. The provision of our Constitution is 'No person shall be deprived of life, or liberty, or property, without due process of law.' This clear recognition of the rights of all was a new gospel to mankind, something un-

*Cong. Globe 2d Sess. 37 Cong., p. 1634—p. 1635.

†17 Vol. Cong. Globe, p. 1638, 2d sess. 37 Cong.

known to men of the thirteenth century, who then demanded and received for themselves, the acknowledgment of their rights as *freemen*. The Barons of England demanded the security of law for themselves; the patriots of America proclaimed the security and protection of law *for all*. The later and nobler revelation to our fathers was, that all men are equal before the law. No matter upon what spot of the earth's surface they were born; no matter whether an Asiatic or African, a European, or an American sun first burned upon them; no matter whether citizens or strangers; no matter whether rich or poor; no matter whether wise or simple; no matter whether strong or weak; this new magna charta to mankind declares the rights of all to life, and liberty and property are equal before the law; that no person by virtue of the American Constitution, by the majesty of American law, shall be deprived of life, or liberty, or property, without due process of law. Unhappily, for about sixty years, this provision of the Constitution here upon the hearthstone of the Republic, where the jurisdiction of the Government of the United States is exclusive, without State limitation, and subject to no restraint other than that imposed by the letter and spirit of the Constitution, this sacred guarantee of life and liberty and property to all, has been wantonly ignored and disregarded as to a large class of our natural born citizens."

In the course of the debate, he eulogized the State of Massachusetts as follows:

*"The old Bay State, true to her sacred, her immortal traditions, recollecting that her soil is holy ground, marked with the footprints of the apostles and martyrs of civil and religious liberty, has held to her ancient faith that rights, even political rights are inseparable from manhood and citizenship, and in no wise dependent upon complexion, or the accident of birth. I trust in God, whatever States may falter, Massachusetts may continue in the ancient ways forever more. Taxation without representation, once stirred the American people like the blast of a trumpet; rather than submit to it, they proclaimed resistance unto death. In the purer and better days of the Republic, taxation only with representation, was the very sign under which the Jeffersonian Democracy were wont to conquer."

He then proclaims the identity of Christianity and Democracy:

*Cong. Globe, 2d sess, 37 Cong, p. 1639.

"They found out and adopted a wiser, juster and better policy, than pagan ever knew. They learned it from the simple but profound teachings of Him who went about doing good; who was no respecter of persons, who made the distant land of his nativity forever sacred to mankind, and whose intense holiness shed majesty over the manger and the straw, and took from the cross its shame and reproach. By His great apostle, came to men and nations the new message, declaring the true God, to whom the pagan inscribed UNKNOWN upon His altar; that God who made the world, and giveth to ALL life and breath, and hath made of one blood all nations of men to dwell on all the face of the earth. From this new message to men, has sprung, the new and better civilization of to-day. What was your declaration at Philadelphia on the 4th of July 1776, that 'ALL MEN are created equal,' but a reiteration of the great truth announced by the apostle of the Nazarene? What but this is the sublime principle of your Constitution, the equality of all men before the law? To-day we deliberate whether we shall make good, by legislation, this vital principle of the Constitution, here, in the Capital of the Republic.'

Crittenden had said "The time was unpropitious." "Sir," said Mr. Bingham, "I think no time is unpropitious for an act of simple justice."

Bingham closed his eloquent speech by saying: "One year ago (11th April 1861) slavery opened its batteries of treason upon Fort Sumter at Charleston; let the anniversary of the crime be signalized by the banishment of slavery from the National Capital."

Said Riddle of Ohio:

"The result of this war is freedom to all. Every day of its continuance, every delay, every dragging moment, makes this end the more inevitable. Every step on slave soil, every battle fought, no matter with what temporary result, every musket fired, every sword brandished, every soldier that suffers, and every heart that mourns, but makes this result the more absolute. Our early disasters, Bull Run and Ball's Bluff, the death of Lyon and the removal of Fremont, shall all bear rich fruits; and the breeze that mournfully lifts the flag of the drowned Cumberland, where the bitter salt sea quenched the noblest hearts that ever burned with American heroism, shall yet bear to earth's ends, the legend of a continent made free! * * * * *

"It is most fitting that while the army marches to the restoration of the National power over the form of fallen slavery, and tramps its life

out, that the solemn lustration of the Nation's Capital should be performed by our hands; that these fetters should dissolve in our breath, so that when our country again confronts her sister nations, though her feet should still be ensanguined with the mingled blood of her filial and parricidal children, she may present her countenance in cloudless, though saddened beauty, purged of its hideous deformity, by her own unconstrained hand.

"Make haste to complete this great act, and it shall proclaim itself to the waiting and oppressed of the earth, as the realized gospel of deliverance. The yellow waves of the Potomac in their downward flow to the sea, shall whisper in liquid murmurs to the great sleeper on its banks, that the city that bears his name, is now worthy of it."

Wickliffe of Kentucky, venerable in years, but fiery and vehement in temper, moved to amend the bill by striking out the provision prohibiting the exclusion of witnesses on account of color; he said: "I do hope the friends of the bill will not so far outrage the laws of the District, as to authorize slaves or free negroes to be witnesses!"

Stevens, in reply, expressed the hope that the committee would not so far "continue an outrage as not to allow any man of credit whether white or black, to be a witness."

Mr. Vallandigham vehemently opposed the bill, declaring truly there were not ten men in the Thirty-sixth Congress, who would have voted for the abolition of slavery in the District. The slaveholders, by their rebellion had produced the change. After various amendments, and long continued struggle to defeat the bill by parliamentary tactics, on motion of Mr. Stevens, the previous question was sustained, and the bill passed by a vote of 92 ayes to 38 noes. This bill was approved by the President, and became a law on the 16th day of April. Its passage was hailed with joy throughout the Union, and the colored men themselves met in their churches, and offered their gratitude to Almighty God for liberty.

A distinguished officer of the old United States army states that years before the rebellion, he had been much among the slaves, and that in passing their cabins at night, when they supposed no white man was near, his attention

had been often arrested by hearing earnest prayers; and going nearer, he heard men and women praying to God for their liberty. Such was the impression which the earnestness and faith of these poor creatures made upon him, that he declares, that from that time, he never doubted but sooner or later, the slaves would be freed.

The territories had long been the battle-fields on which free labor and slavery had struggled for supremacy. The early policy of the Government, that of the fathers, was prohibition. The proposition of Jefferson, that slavery should never exist in any territory of the United States failed only by one vote, caused by the absence of the delegate from New Jersey. The ordinance of 1787 inaugurated the policy. Slavery was strong enough in 1820 to secure a division by an isothermal line of 36° 30′ of latitude, embodied in what was called the Missouri Compromise. In 1854, that compromise was repealed, with the avowed purpose on the part of the slaveholders of carrying slavery into all the Territories. Then came the Dred Scott decision, that Congress could not prohibit slavery in the Territories, and then the hand-to-hand struggle in Kansas followed. The distinct issue of the exclusion of slavery by Congressional enactment was, in 1860, submitted to the people, and Mr. Lincoln was elected upon the distinct and unequivocal pledge to the policy of prohibition.

On the 24th of March, 1862, Mr. Arnold, of Illinois, introduced "a Bill to render freedom national, and slavery sectional," and which, after reciting "To the end that freedom may be and remain forever the fundamental law of the land in all places whatsoever, so far as it lies in the power, or depends upon the action of the Government of the United States to make it so, it was enacted that slavery, except as a punishment of crime, whereof the party had been duly convicted, should henceforth cease and be prohibited forever, in all the following places, viz.: 1st, In all the Territories of the United States then existing, or thereafter to be formed or acquired in any way. 2d, In all places purchased or acquired with the consent of the United States for forts, magazines,

dock-yards and other needful buildings, and over which the United States have or shall have exclusive legislative jurisdiction. 3d, In all vessels on the high seas. 4th, In all places whatsoever, where the National Government has exclusive jurisdiction."*

Mr. Cox opposed the bill vehemently, declaring that, in his judgment, it was a bill for the benefit of secession and Jeff. Davis.

Mr. Fisher, in an able speech, opposed the passage of the bill. In conclusion, he appealed to the majority to let this cup pass from our lips. He said: "We have done nobly: we have done much in behalf of liberty and humanity at this session of Congress. Let us then here call a halt and take our bearings.

Finally, as a concession to the more conservative members, Mr. Lovejoy offered an amendment, striking out all except the prohibition of slavery in the Territories, and on which he demanded the previous question, and the bill passed the House, ayes eighty-five, noes fifty. The bill was slightly modified in the Senate, and finally passed the House on the 19th of June, prohibiting slavery forever in all the Territories of the United States now existing, or that might hereafter be acquired. Thus, the second great step towards the destruction of slavery was taken; and closing the great struggle over slavery in the Territories, which had agitated the country, with short intervals, since the organization of the Republic under the Constitution. Had this act been passed in 1784, when Jefferson proposed one substantially like it, the terrible war of the slaveholders would never have come upon the Republic. The institution would never have grown to such vast power. Missouri would have had the wealth and position of Ohio, and slavery, driven by moral and economical influences towards the Gulf, would have gradually and peacefully disappeared.

We have seen that the Secretary of War, on the 14th of September, 1861, instructed General Sherman to avail himself of the service of any persons, whether fugitives from

* See Congressional Globe, Second Session, Thirty-seventh Congress, 2042.

labor or not, who might offer themselves to the National Government, and he was instructed to employ them in such service as they might be best fitted for; and that he might organize them into squads, companies or otherwise, as he might deem most beneficial to the service. This was qualified by the President, so as not to mean "a general arming for military service."

It will be remembered that a portion of the report of Mr. Cameron, as Secretary of War, recommending the *general* arming of the slaves, made December 1, 1861, was stricken out by order of the President. The public sentiment had not at that time, in his judgment, advanced far enough to warrant this measure. Indeed, whether the Government should avail itself of the ready and willing services of citizens and slaves of African descent, was, strangely enough in the light of the present, a question which agitated the public mind in the early stages of the rebellion. Many very loyal and sincere men hesitated, and some opposed it. We have seen that at first, colored men escaping to the Union lines, though bringing with them most important intelligence, and strong arms and brave and loyal hearts, found there no welcome, but, on the contrary, were repelled; and in some instances, rebel masters were permitted to hunt loyal fugitive slaves within the Union lines, and within Union camps.

General Halleck issued an order, November 20, 1861, prohibiting fugitive slaves from being admitted within the lines of his army, and expelling those who had already taken refuge there.* On the 2d of February, 1862, he repeated the order that no fugitive slaves should be admitted within the lines or camps, except by special order of the Commanding General.

General Buell, on the 6th of March, 1862, declared: "It has come to my knowledge, that slaves sometimes make their way improperly into our lines, and, in some instances, they may be enticed there, but I think the number has been magnified by report. Several applications have been made to me by persons whose servants have been found in our camps, and in every instance that I know of, the master has recovered his servant, and taken him away."

* McPherson's Hist., p. 248–250.

Even gallant General Hooker, on the 26th of March, was capable of issuing an order authorizing slave masters to search for fugitive slaves through all the camps of his command. He said: "Messrs. Nally, Gray, Dummington, Dent, Adams, Speake, Price, Posey and Cobey, citizens of Maryland, have negroes supposed to be with some of the regiments of this division. The brigadier general commanding, directs that they may be permitted to visit all the camps of his command in search of their property, and if found, that they be allowed to take possession of the same without any interference whatever. Should any obstacle be thrown in their way by any officer or soldier, in the division, they will be at once reported by the regimental commanders to these headquarters."

On the contrary, General Doubleday, on the 8th of April, 1862, directed that all negroes coming into the lines of any of the camps or forts of his command, should be treated as *persons*, and not as property; and declaring that under no circumstances has the commander of a camp or a fort the power of surrendering a person claimed as a fugitive slave. The article of war recently enacted by Congress prohibits it.

This General expressed the opinion that the fugitives brought much valuable information, which could not be obtained from any other source, and were most valuable as scouts, guides and spies.

General T. Williams, on the 5th of June, 1862, ordered that all fugitives, negroes in his camps should be turned out beyond his lines of guards and sentinels. Colonel Paine, of Wisconsin, refused to obey this order, as violating the new article of war, and for this offence he was placed under arrest.

It is difficult to realize the tyranny which slavery had established over the minds of the people, even of the free States. The foregoing orders, perhaps, furnish as striking illustration of it as any fact in history. That there should ever have been any hesitation in welcoming loyal colored men, and transferring them from aiding the rebels, to the Union side, is indeed very strange. The prejudice that so long held the minds of the people to the sacred rights of

slaveholding, and in which these orders against fugitive slaves were conceived, began to disappear in the smoke of battle.

The first regiment of negro troops raised during the war, was raised and organized by General David Hunter, in the Spring of 1862, while in command in the Department of the South. He had been a graduate at West Point, and was educated as a pro-slavery man, but like the gallant Lyon, serving in Kansas during the period the effort was made to force slavery upon that territory, the outrages of the slaveholders converted him into a radical abolitionist. Finding himself charged with the duty of holding the coast of Florida, South Carolina and Georgia, with very inadequate force, and the Government being at that time unable to furnish more, seeing the three States of his command swarming with able-bodied negroes, all loyal Union men, ready to fight for their liberty, he saw no reason why they should not be organized into soldiers. He accordingly proceeded vigorously in the work of organizing and drilling these negroes, and reporting his proceedings to the Secretary of War received no response. Meanwhile the facts were spread through the land, and came to the ears of Mr. Wickliffe — a fierce pro-slavery member of Congress from Kentucky.

The border States were particularly sensitive on the subject of fugitive slaves and colored citizens being used as soldiers, and on the 9th of June, 1862, on motion of Mr. Wickliffe, of Kentucky, the House adopted the following resolution:

"*Resolved*, That the Secretary of War be directed to inform this House — 1st, If General Hunter, of the Department of South Carolina, has organized a regiment of South Carolina volunteers for the defence of the Union, composed of black men (fugitive slaves,) and appointed the colonel and other officers to command them. 2d, Was he authorized by the Department to organize and muster into the army of the United States, as soldiers, its fugitive or captured slaves? 3d, Has he been furnished with clothing, uniforms, etc., for such force? 4th, Has he been furnished by order of the Department of War with arms to be placed in the hands of these slaves? 5th, To report any orders given said Hunter, and correspondence between him and the Department."

This resolution was forwarded by the Secretary of War to Hunter, with a request for an immediate reply. In response to this, General Hunter made the following reply:

"*Sir*:—I have the honor to acknowledge the receipt of a communication from the Adjutant General of the Army, dated June 13, 1862, requesting me to furnish you with the information necessary to answer certain resolutions introduced in the House of Representatives, June 9, 1862, on motion of Hon. Mr. Wickliffe, of Kentucky,—the substance being to inquire:—1st, Whether I had organized or was organizing a regiment of 'fugitive slaves' in this Department. 2d, Whether any authority had been given to me from the War Department for such organization. 3d, Whether I had been furnished by order of the War Department with clothing, uniforms and equipments, etc., for such a force.

"To the first question, therefore, I reply that no regiment of 'fugitive slaves' has been, or is being, organized in this Department. There is, however, a fine regiment of persons, whose late masters are 'fugitive rebels'—men who, everywhere fly before the appearance of the National flag, leaving their servants behind them to shift as best they can for themselves. So far, indeed, are the loyal persons composing this regiment from seeking to avoid the presence of their late owners, that they are now, one and all, working with remarkable industry to place themselves in a position to go in full and effective pursuit of their fugacious and traitorous proprietors.

"To the second question, I have the honor to answer that the instructions given to Brigadier General W. T. Sherman, by Hon. Simon Cameron, late Secretary of War, and turned over to me by succession, for my guidance, do distinctly authorize me to employ all loyal persons offering their services in defence of the Union, and for the suppression of this rebellion, in any manner I might see fit, or that the circumstances might call for. There is no restriction as to the character or color of the persons to be employed, or the nature of the employment, whether civil or military, in which their services should be used. I conclude, therefore, that I have been authorized to enlist 'fugitive slaves' as soldiers, could any such be found in this Department. No such characters, however, have yet appeared within view of our most advanced pickets—the loyal slaves everywhere remaining on their plantations to welcome us, aid us, and supply us with food, labor and information. It is the masters who have, in every instance, been the 'fugitives,' running away from loyal slaves as well as loyal soldiers, and whom we have only partially been able to see, chiefly their heads over ramparts, or, rifle

in hand, dodging behind trees in the extreme distance. In the absence of any 'fugitive master law,' the deserted slaves would be wholly without remedy, had not the crime of treason given them the right to pursue, capture and bring back those persons, of whose protection they have been thus suddenly bereft.

"To the third interrogatory, it is my painful duty to reply that I never have received any specific authority for issues of clothing, uniform, arms, equipments, etc., to the troops in question—my general instructions from Mr. Cameron to employ them in any manner I might find necessary and the military exigencies of the Department and the country, being my only, but, in my judgment, sufficient justification. Neither have I had any specific authority for supplying these persons with shovels, spades and pickaxes, when employing them as laborers, nor with boats and oars when using them as lightermen, but these are not points included in Mr. Wickliffe's resolution. To me, it seemed that liberty to employ men in one particular capacity, implied with it liberty, also, to supply them with the necessary tools; and, acting upon this faith, I have clothed, equipped and armed the only loyal regiment yet raised in South Carolina.

"I must say, in vindication of my own conduct, that had it not been for the many other diversified and imperative claims on my time and attention, a much more satisfactory result might have been hoped for, and that in place of only one, as at present, at least five or six well drilled, brave and thoroughly acclimated regiments should by this time have been added to the loyal forces of the Union. The experiment of arming the blacks, so far as I have made it, has been a complete and marvellous success. They are sober, docile, attentive and enthusiastic, displaying great natural capacity for acquiring the duties of the soldier. They are eager beyond all things to take the field and be led into action; and it is the unanimous opinion of the officers who have had charge of them, that, in the peculiarities of this climate and country, they will prove invaluable auxiliaries, fully equal to the similar regiments so long and successfully used by the British authorities in the West India Islands.

"In conclusion, I will say it is my hope—there appearing no possibility of other reinforcements owing to the exigencies of the campaign in the Peninsula—to have organized by the end of next Fall, and to be able to present to the Government, from forty-eight to fifty thousand of these hardy and devoted soldiers."

The grim Secretary read this reply with great satisfaction, and hurried it down to Congress, and its reception there furnished one of the most amusing and interesting scenes which

ever occurred in a grave, deliberative body. The irascible Kentuckian foamed with rage, while shouts of laughter greeted the reading of the reply from all parts of the House. Hunter's successful movement in organizing colored soldiers, and this sarcastic reply, settled the question that negroes should have the privilege of fighting for the Union and their own liberty.

For this act of common sense, General Hunter was outlawed by the Confederates.

On the 9th of July, 1862, Senator Grimes, of Iowa, moved to amend the bill providing for the calling out of the militia, by providing; "that there should be no exemption from military service on account of color; that when the militia should be called into service, the President should have full power and authority to organize them according to race or color."

Senator Carlisle, of West Virginia, declared that the negro constituted no part of the militia of his State.

Preston King, of New York, moved to amend the amendment of Mr. Grimes, by providing, that the President should be authorized to receive into the service of the United States for any war service for which they might be found competent, persons of African descent; clothing the President with full power to enroll and organize them and to feed, and pay them such compensation as they might agree to receive, and that when any man or boy of African descent, should render such service, he, his mother, and wife and children, should forever thereafter be free." Mr. Grimes accepted this amendment.

Mr. Fessenden, the distinguished Senator from Maine, in the discussion of this bill, said:

"I tell the President from my place here as a Senator, and I tell the generals of our army, they must reverse their practices and their course of proceeding on this subject. * * * I advise it, here from my place—treat your enemies as enemies, as the worst of enemies, and avail yourselves like men, of every power which God has placed in your hands, to accomplish your purpose, within the rules of civilized warfare."

The ever faithful Senator Wilson, of Massachusetts, said:

"The Senator from Delaware, as he is accustomed to do, speaks boldly and decidedly. He asks if American soldiers will fight, if we organize colored men for military purposes. Did not American soldiers fight at Bunker Hill with negroes in the ranks, one of whom shot down Major Pitcairn as he mounted the works? Did not American soldiers fight at Red Bank, with a black regiment from your own State, sir? (Addressing Senator Anthony, of Rhode Island, then in the Chair.) Did they not fight on the battle-field of Rhode Island, with that black regiment, one of the best and bravest that ever trod the soil of this continent? Did not American soldiers fight at Fort Griswold with black men? Did they not fight with black men in almost every battle-field of the Revolution? Did not the men of Kentucky and Tennessee, standing on the lines of New Orleans, under the eye of Andrew Jackson, fight with colored battallions whom he had summoned to the field, and whom he thanked publicly, for their gallantry in hurling back a British foe? It is all talk, idle talk, to say that the volunteers who are fighting the battles of this country, are governed by any such narrow prejudice or bigotry. These prejudices are the results of the teachings of demagogues and politicians, who have for years, undertaken to delude and deceive the American people, and to demean and degrade them."

Garrett Davis, of Kentucky, said:

"In my own State, I have no doubt that there are from eighty to a hundred thousand slaves, that belong to disloyal men. You propose to place arms in the hands of the men and boys, or such of them as are able to handle arms, and to manumit the whole mass, men, women, and children, and leave them among us. Do you expect us to give our sanction and our approval to these things? No, no! We would regard their authors as our worst enemies; and there is no foreign despotism that could come to our rescue, that we would not joyously embrace, before we would submit to any such condition of things as that. But before we had invoked this foreign despotism, we would arm every man and boy that we have in the land, and we would meet you in a death struggle, to overthrow together, such an oppression and our oppressors."

The wise, sedate, and conservative Mr. Collamer said:

"I never could understand, and do not now understand why the Government of the United States has not the right to the use of every

man in it, black or white, for its defense; and every horse, every particle of property, every dollar in money of every man in it. * * * The second section of the amendment provides, that when any man or boy of African descent, who, by the laws of any State, owes service or labor to any person, who, during the present rebellion, has borne arms against the United States, or adhered to their enemies, by giving them aid or comfort, shall render to the United States any such service as is provided in the preceding section, he, his mother, and his wife and children, shall forever thereafter, be free, any law or usage to the contrary notwithstanding. I have a word to say about that. I am constrained to say, whether it is to the honor or dishonor of my country, that, in the land of slavery, no male slave has a child; none is known as father to a child; no slave has a wife, marriage being repudiated in the slave system. This is the condition of things; and wonderful as it may be, we are told that *that is a Christian institution!*"

Mr. Ten Eyck, a republican Senator from New Jersey, moved to strike out the words "military and naval," before "service," fearful of offending the sensitiveness of the public, in regard to employing negroes in the military service. Honest Preston King said, "we may as well meet this question directly, and that he had done talking in such a manner as to avoid giving offence to our enemies in this matter." He related an incident, "that, in March, 1861, the Captain of the watch at the Capitol, desired permission to omit hoisting the National flag over the Senate chamber, because it hurt the feelings of some people to look at it!"

John Sherman, of Ohio, moved that the provisions, giving freedom to the slave and his family, as a reward for military service, should apply to those only who are owned by rebel masters! He said:

"When we take the slave of a loyal man and make him work for us, I do not for that reason, wish to deprive the master entirely of what he regards as his property, or what is regarded by local law as his property. If we inflict injury on him by taking his property and using it for the time being, we certainly should not in addition to that, deprive him of his property altogether. The slave is in no worse condition than he was before, and I think it would be grossly unjust and improper now, or at any time, to deprive the owner of a slave of the legal right to the

service of his slave, if he is a loyal and true man, and has done his duty in the emergency. I certainly would not vote for such a proposition."

Mr. King, in reply said:

"When we take a slave to serve the country in this emergency, my own opinion is, that he should be made free, whether he belongs to a rebel or not. I should like to have a division on this amendment, so as to have an opportunity to record my vote upon it. It is so plain a proposition, that it does not need any discussion."

Mr. Browning, of Illinois, moved to amend so that the mother, wife, and children of the slave fighting for the country, should be free, only in those cases where they were owned by rebels. This proposition received in the United States' Senate 17 votes. Rough and blunt James Lane, Senator from Kansas, said:

"After this war is over, a soldier, perhaps covered with scars, his mother, wife and children around him, having escaped, or their masters escaped from them, are in Washington City. I say that the Government that would restore that mother, that wife and those children to slavery, after that father and husband has been covered with wounds in defence of the country, deserves to be damned. God himself would turn his face against a Government that would commit a crime like that. Let me tell the Senator from Illinois, the bill provides that if the mother, wife and children, belong to a loyal person, he is to get remuneration from the Government, as the Senator or I would for our property. I deny that this Government cannot take the slaves of the loyal and disloyal, and that they are estopped from making any use of them that they choose for the suppression of this rebellion; and having made use of them, I say it would be a crime before God to return them to slavery."

Senators Sherman, and Browning, and all who voted for these amendments, have lived, I think, to blush for these votes, and wish that the record could be obliterated.

Senator Howard, of Michigan, said:

"I do not care how lowly, how humble, how degraded a negro may be, if he takes his musket or any other implement of war, and risks

his life to defend me, my countrymen, my family, my Government, my property, my liberties, my rights, against any foe, foreign or domestic, it is my duty under God, it is my duty as a man, as a lover of justice, to see to it that he shall be free."

Senator Wilson called attention to the fact, that while thousands of negroes would have gladly sought refuge in the lines of our armies, and labored for low wages, they were repelled; and that thousands and thousands of the young men of New England, and the North, had been broken down by the labor of the spade in ditching and entrenching, which labor the fugitive slave would gladly have relieved them from.

The bill finally passed, giving freedom to all who should perform military service, but restricting liberty to the families of such only as belonged to rebel masters.

The bill passed the House on the 16th of July, 1862, and on the 17th, it received the sanction of the President, and became a law.

The measure thus sanctioned by Congress was the inauguration of a system which resulted in bringing into the service of the United States, 186,057 soldiers, nearly two hundred thousand! The loss by wounds, disease, and all causes, of the negro soldiers during the war, was sixty-eight thousand one hundred and seventy-eight. This was the contribution of the negro towards the preservation of the Union, and the acquisition of liberty for his race!

The good, faithful, and just Lincoln said, in this connection:

"Negroes, like other people, act upon motives. Why should they do anything for us, if we will do nothing for them. If they stake their lives for us, they must be prompted by the strongest of motives, even the promise of freedom. And the promise *being made must be kept.*" The 'job' of saving the Nation, was a great National one, and let none be slighted who bore an honorable part in it. There are some negroes living who can remember, and the children of some who are dead, who will not forget, that some black men with steady eye and well poised bayonet, helped mankind to save liberty in America."

This measure was as important and effective in aiding in the overthrow of slavery, as in crushing armed resistance to the Union. To the accomplishment of both of these great objects, the President was anxiously but cautiously looking. Measures were immediately taken to enroll negro soldiers as well in the rebel territory, as in the border and free States, and this was a powerful agency in redeeming Maryland, Missouri, and Tennessee, from the curse of slavery.

CHAPTER XII.

CONFISCATION AND EMANCIPATION.

BILL TO CONFISCATE THE PROPERTY AND EMANCIPATE THE SLAVES OF REBELS—ACTION OF THE SENATE—OF THE HOUSE—SPEECH OF CRITTENDEN—REPLY OF LOVEJOY—WADE, OF OHIO—SEDGWICK—PASSAGE OF THE BILL—JOINT RESOLUTION EXPLANATORY THEREOF—PRESIDENT'S MESSAGE—ELLIOTT'S EMANCIPATION RESOLUTION—PRESIDENT'S MESSAGE RECOMMENDING GRADUAL AND COMPENSATED EMANCIPATION—HUNTER'S ORDER FREEING SLAVES IN SOUTH CAROLINA, ETC.—LINCOLN DECLARES IT UNAUTHORIZED—HIS ADDRESS TO BORDER STATE DELEGATION IN CONGRESS.

ON the 16th of July, 1861, Senator Pomeroy introduced a bill into the Senate, "To suppress the slaveholder's rebellion." This bill abolished slavery in the seceding states. It was a measure too bold and decided for that session, but time and war soon effected what this bill sought to accomplish. Various propositions were introduced at the regular session for the purpose of giving freedom to the slaves of rebels.

Senator Trumbull, Chairman of the Judiciary Committee, on the 5th of December, introduced a bill which provided that the slaves of persons who should take up arms against the United States, or in any manner aid or abet the rebellion, should be discharged from service and labor, and become forever free, any law to the contrary notwithstanding. The measure was zealously advocated by Senators Morrill, Sumner, Wade, Wilmot, and others, and opposed by Senators Davis, Powell, Wiley and others. Finally, after a long discussion, the bill and the various amendments were referred to a committee of nine, with instructions to report as early as possible. This committee, through its Chairman, Mr.

Clark, of New Hampshire, reported a substitute for the various bills and amendments which had been introduced. This substitute provided, in substance — First, That at any time after the passage of the act, the President might issue his proclamation, proclaiming the slaves of persons found thirty days after the issuing of the proclamation in arms against the Government, free, any law or custom to the contrary notwithstanding — Second, That no slave escaping from his master should be given up, unless the claimant should establish by proof that he had given no aid to the rebellion, and, Third, That the President should be authorized to employ persons of *African descent for the suppression of the rebellion.* This last clause illustrates the strength of the still lingering influence of slavery, as though a law of Congress was necessary to enable the President to employ *persons of African descent* to suppress the rebellion! The whole people, black as well as white, were subject to the call of the President for the preservation of the Government.

Strange that any should dream that the master's claim to service, and especially *a rebel* master's claim, could stand in the way of the Government's claim for service as a soldier. The Government could, forsooth, take the son from the father, but not the slave from the master! If the persons held to service were *property*, the Government could take it for the public and use it for its self preservation. If *persons*, then they were subject to call for military services.

Various propositions to effect purposes of confiscation and emancipation, were introduced into the House. The subject was debated in various forms during the Winter and Spring of 1862, and finally, on the 8th of April, the whole subject was referred to a Select Committee of nine, to report on the various propositions pending.

Perhaps one of the most interesting passages in the whole debate was that which occurred between Mr. Crittenden, the grey haired, venerable member from Kentucky, and Mr. Lovejoy, of Illinois. Crittenden was the head of a leading and influential slaveholding family of his State, and had been the successor of Henry Clay, as the leader of the old Whig party of Kentucky. An able and eloquent man, his

influence was great in his own State, and considerable throughout the Union. In a great speech made on the 23d of April, in opposition to the confiscation bill, he said:

"I voted against Mr. Lincoln, and opposed him honestly and sincerely, but Mr. Lincoln has won me to his side. There is a niche in the temple of fame, a niche near to Washington, which should be occupied by the statue of him who shall save this country. Mr. Lincoln has a mighty destiny. It is for him, if he will, to step into that niche. It is for him to be but a President of the people of the United States, and there will his statue be. But if he choose to be, in these times, a mere sectarian and a party man, that niche will be reserved for some future and better patriot. It is in his power to occupy a place next to Washington—the *founder* and the *preserver*, side by side. Sir, Mr. Lincoln is no coward. His not doing what the Constitution forbade him to do, and what all of our institutions forbade him to do, is no proof of his cowardice."

This speech of Mr. Crittenden, was regarded as an appeal from the ablest, and most influential border State man, to Mr. Lincoln to stay his hand; to withhold the proclamation of Emancipation, and save the imperiled institution of slavery.

The border State men were ready to crown him the peer of Washington, if he would save slavery. Lovejoy, who knew Mr. Lincoln well, and appreciated him, replied:

"The gentleman from Kentucky, says, he has a niche for Abraham Lincoln. Where is it? He points upwards. But sir, should the President follow the counsels of that gentleman, and become the defender and perpetuator of human slavery, he should point downward to some dungeon in the temple of Moloch, who feeds on human blood, and is surrounded with fires where are forged manacles and chains for human limbs—in the crypts and recesses of whose temple woman is scourged and man tortured, and outside the walls are lying dogs gorged with human flesh, as Byron describes them, stretched around Stamboul. 'That' said he, is a suitable place for the statue of one who would defend and perpetuate slavery.

"Sir, the friends of American slavery need not beslime the President with their praise. *He is an anti-slavery man!* He hates human bondage. The gentleman says he did not vote for him. Why did not the gentleman remind the House that he did vote for a man now among the rebels? I did vote for the occupant of the Executive Chair, and labored

for his election, as I never labored for that of any other man If the gentleman wants to sustain the President in his administration in its stormy and perilous voyage, why did he not vote for his wise and patriotic message, hailed and approved, so far as I know, by the whole country, except slaveholders? I voted cordially for that message. Extreme men, as they are called, voted for that message. On saying as I have said, slavery must perish, I do not mean that it must perish at once necessarily. Nor while I say that the slaves can take care of themselves, and that they should be let alone, do I mean to preclude the idea of colonization that is not compulsory. The message of the President, therefore, presented ground where all might stand, the conservative and radical, and with common purpose and combined effort, put forth their exertions for the beneficent object of universal emancipation, accompanied by colonization, if just to the slave, and best for the country. Why did not the gentleman vote for it? I yield to no one in my honest belief in the pure patriotism of the President. I believe in these respects, he stands by the side of Washington.

"I too, have a niche for Abraham Lincoln; but it is in Freedom's holy fane, and not in the blood besmeared temple of human bondage; not surrounded by slave fetters and chains, but with the symbols of freedom; not dark with bondage, but radiant with the light of liberty. In that niche he shall stand proudly, nobly, gloriously, with shattered fetters and broken chains, and slave whips beneath his feet. If Abraham Lincoln pursues the path evidently pointed out for him in the providence of God, as I believe he will, then he will occupy the proud position I have indicated. That is a fame worth living for; aye, more, that is a fame worth dying for, though that death led through the blood of Gethsemane, and the agony of the accursed tree. That is a fame which has glory and honor, and immortality and eternal life. Let Abraham Lincoln make himself, as I trust he will, the emancipator, the liberator, as he has the opportunity of doing, and his name shall not only be enrolled in this earthly temple, but it will be traced on the living stones of that temple which rears itself amid the thrones and hierarchies of Heaven, whose top stone is to be brought in with shouting of grace, grace, unto it.

"It is said that Wilberforce went up to the judgment seat with the broken chains of eight hundred thousand emancipated slaves. And it is not too much to believe that the slave liberated by the beneficent power of the President, should, in that future world, next to the God that made him, and the Savior who redeemed him, thank the benefactor who released him from the thraldom of slavery, and allowed him to learn the pathway to Heaven in the light of that volume which had to

him, been a sealed book. This is a fame worthy the aspirations of the noblest nature. But the soul recoils from the accursed and bloody fame to which the gentleman would consign the President as the champion of human bondage, and the preserver and perpetuator of American slavery."

> Dark would his fame be! darker still
> His immortality of ill.

These two speeches, from the champions of slavery and freedom, were read to Mr. Lincoln, in his library at the White House, a room to which he sometimes retired. He was moved by the picture which Lovejoy drew. The tremendous responsibilities growing out of the slavery question; how he ought to treat those sons of "unrequited toil," were questions, sinking deeper and deeper into his heart. With a purpose firmly to follow the path of duty, as God gave him to see his duty, he earnestly sought the divine guidance.

The Select Committee, to which the subject was referred, by Mr. Elliott, reported two bills: "a bill to confiscate the property of rebels," etc., and "a bill to free from servitude, the slaves of rebels engaged in abetting the existing rebellion against the United States." The latter bill declares a forfeiture of all claims to service by an armed rebel to the persons known as slaves, and makes them free. It declares that the fact that a claimant had been in arms against the United States in the rebellion, should be a good defence to any claim of service set up by him. It required every claimant to establish affirmatively, not only his claim to the service, but his own loyalty.

The passage of this bill was earnestly and ably pressed by Elliott, of Massachusetts, and Noell, of Missouri. This earnest patriot from the slave State of Missouri, urged the passage of the bill in the following terms:

"But it is the weakness of cowards, or sympathy for murderous traitors, that now while they confront us at all points with arms in their hands, and shoot down our fathers, sons, husbands, lovers and friends, that now lifts up weak hands in helpless horror and raise querulous voices in feeble wails and cries for mercy to the rebels. Mercy now, is treason, rape, arson, an infraction of the whole decalogue; and I suspect the brain or heart of him who now speaks of

forbearance towards them. But the legislation which we are now to enact, is to be enforced when the rebel is disarmed, and lies bound and helpless in our prison, to receive, in unquestioning silence, the blow we now lift over him. Do not talk to me of the danger of stimulating his hatred, or of aggravating his hostility by threatened severity; he has been at his murderous work for a twelvemonth. Do not talk to me of making him desperate; but we may with profit contemplate his changed fortune and temper, when subdued and abject, he awaits in chains, our utterance of his doom. We can deal with the rebels in only two ways; collectively in States, and severally as individuals.

"I would free the slave of every man and woman engaged in this rebellion. The guilt of the master should inure at least to the benefit of the slave, and from this huge crime should spring a greater beneficence."

Mr. Sedgwick, of New York, said:

"As the purpose of this war is to perpetuate slavery, and as this institution is the cause of the war, we will break it down, destroy and overthrow the institution. I am for destroying this hostile institution in every State that has made war upon the Government, and if we have military strength enough to reduce them to possession, I propose to leave not one slave in the wake of our advancing armies — *not one!*"

The bills passed the House on the 26th of May, and on the 23d of June, were taken up for consideration in the Senate. Finally, the Senate adopted its own bill as a substitute, and passed it. On the 3d of July, the House took up the confiscation bill as amended by the Senate, and refused to concur in the Senate amendment, and a conference committee was appointed. This committee reported a bill combining confiscation and emancipation in one bill. It provided that all slaves of persons who should give aid and comfort to the rebellion, who should take refuge within the lines of the army; all slaves captured from rebels, or deserted by rebels and being under the control of the Government, and all slaves of rebels found or being within places occupied by rebel forces, and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free and not again held as slaves; that fugitive slaves should not be surrendered to persons who had given aid and comfort to the rebellion; that no person engaged in the mili-

tary or naval service should surrender fugitive slaves on pain of being dismissed from the service, and that the President should be authorized to employ persons of African descent to suppress the rebellion, and that he might organize and use them in such manner as he might deem best for the public welfare. The report was accepted, and the bill, on the 17th of July, 1862, received the approval of the President, and became a law. This approval of the President, however, was not obtained until a joint resolution had been adopted by Congress, as follows :

"That the provisions of the third clause of the fifth section of 'An Act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes,' shall be so construed as not to apply to any act or acts done prior to the passage thereof; nor to include any member of a State Legislature, or judge of any State court who has not, in accepting or entering upon his office, taken an oath to support the Constitution of the so-called Confederate States of America; nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender, beyond his natural life."

This law has been justly characterized as the first great act of emancipation. Its importance has not been fully appreciated. How comprehensive its terms. It declares that every slave claimed or held by a rebel should be freed. There were comparatively few slaves other than those claimed by rebels. It declares that every slave who should flee to, or take refuge within the army, should be free. The army was to carry liberty to every man who came under the flag.

The President, on the day of the approval of this bill, sent to Congress a message, in which he stated that he considered the confiscation act, and the joint resolution explanatory of said act, as being substantially one, and he therefore approved and signed both. He also communicated to Congress the draft of a message stating his objections to the bill, without the explanatory resolutions. This act, on the part of Mr. Lincoln, was one of the same frank and open character which always marked his intercourse with Congress. It is known, however, that he subsequently modified his views of the powers of Congress upon the subject of confiscation, and

it is believed that a year later he would have signed the bill without the joint resolution explanatory thereof.

While Congress had been discussing the great questions of emancipation and confiscation, the President had been most carefully considering the same subjects.

The following resolution and action of the popular branch of the National Legislature, as well as the debates in both Houses of Congress, exhibit the rapid progress of public sentiment on the subject of slavery. On the 2d of December, 1861, Mr. Elliott offered a resolution:

"*Resolved*, 1. That in behalf of the people of these States, we do again solemnly declare that the war in which we are engaged against the insurgent bodies now in arms against the Government, has for its object the suppression of such rebellion, and the reëstablishment of the rightful authority of the National Constitution and laws over the entire extent of our common country. 2. That while we disclaim all power under the Constitution to interfere by ordinary legislation with the institutions of the several States, yet the war now existing must be conducted according to the usages and rights of military service, and that during its continuance, the recognized authority of the maxim that the safety of the State is the highest law, subordinates rights of property, and dominates over civil relations. 3. That, therefore, we do hereby declare that, in our judgment, the President of the United States, as the commander-in-chief of our army, and the officers in command under him, have the right to emancipate all persons held as slaves in any military district in a state of insurrection against the National Government, and that we respectfully advise that such order of emancipation be issued wherever the same will avail to weaken the power of the rebels in arms, or to strengthen the military power of the loyal forces."

Which resolution, after being amended so as to insert after the word "slaves," the words "held by rebels," was, on the 17th, referred to the Committee on the Judiciary. The varied and excited discussions, bills, and numerous resolutions on the subject of emancipation, have been already alluded to. It was obvious that as the war was being waged by the insurgent States to maintain slavery, and secure for it security, if slavery could be destroyed, and emancipation

accomplished, the object and end of the war would be defeated, and the war itself cease. Besides, so long as slavery was unassailed, it was a source of strength to the rebels, but with emancipation and freedom, the black population would flock to the National standard, and render it efficient aid.

It is very interesting to trace the gradual advance of opinion on the part of President Lincoln, which finally resulted in the settled conviction of the absolute necessity of emancipation. He entered upon the Presidency, a thorough, radical, anti-slavery man. He believed in the irreconcilable antagonism between free and slave labor. But with these convictions, no man had a higher reverence for law; and he was by nature cautious, and a conservative reformer. He did not understand that the Presidency conferred upon him an unrestricted right to act upon his anti-slavery feelings. No man ever entered upon the Presidency with a more firm determination that his administration should be strictly constitutional. He deprecated violent or sudden changes. Inspired by these views, on the 6th day of March, 1862, he sent the following message to Congress, recommending compensated and gradual emancipation. Said he:

"I recommend the adoption of a joint resolution by your honorable bodies, which shall be substantially as follows:

"*Resolved*, That the United States ought to co-operate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconvenience, public and private, produced by such change of system."

"If, said he, the proposition contained in the resolution does not meet the approval of Congress and the country, there is the end; but if it does command such approval, I deem it of importance that the States and people immediately interested, should be at once distinctly notified of the fact, so that they may begin to consider whether to accept or reject it. The Federal Government would find its highest interest in such a measure, as one of the most efficient means of self-preservation. The leaders of the existing insurrection entertain the hope that this Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, and that all the slave States north of such part will then say, 'the Union for which we have

struggled being already gone, we now choose to go with the Southern section.' To deprive them of this hope, substantially ends the rebellion; and the initiation of emancipation completely deprives them of it, as to all the States initiating it. The point is not that *all* the States tolerating slavery would very soon, if at all, initiate emancipation; but that, while the offer is equally made to all, the more Northern shall, by such initiation, make it certain to the more Southern, that in no event will the former ever join the latter in their proposed Confederacy. I say 'initiation,' because, in my judgment, gradual, and not sudden emancipation is better for all. In the mere financial or pecuniary view, any member of Congress, with the census tables and treasury reports before him, can readily see for himself, how very soon the current expenditures of this war would purchase, at fair valuation, all the slaves in any named State. Such a proposition, on the part of the General Government, sets up no claim of a right by Federal authority to interfere with slavery within State limits, referring, as it does, the absolute control of the subject in each case, to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them.

"In the annual message last December, I thought fit to say 'the Union must be preserved; and hence all indispensable means must be employed.' I said this, not hastily, but deliberately. War has been made, and continues to be an indispensable means to this end. A practical re-acknowledgment of the National authority would render the war unnecessary, and it would at once cease. If, however, resistance continues, the war must continue; and it is impossible to foresee all the incidents which may attend, and all the ruin which may follow it. Such as may seem indispensable or may obviously promise great efficiency towards ending the struggle, must, and will come.

"The proposition now made, though an offer only, I hope it may be esteemed no offence to ask whether the pecuniary consideration tendered would not be of more value to the States, and private persons concerned than are the institution and property in it, in the present aspect of affairs?

"While it is true that the adoption of the proposed resolution would be merely initiatory, and not, within itself a practical measure, it is recommended in the hope, that it would soon lead to important practical results. In full view of my great responsibility to my God, and to my country, I earnestly beg the attention of Congress and the people to the subject.

"ABRAHAM LINCOLN."

Mr. Lincoln was agitating the alternative of immediate and unconditional emancipation, by his own proclamation, or gradual and compensated emancipation as proposed in the foregoing message. He determined to submit the subject to Congress and the border slave States, with the sincere hope, that the latter would be accepted.

CHAPTER XIII.

THE PROCLAMATION OF EMANCIPATION.

EMANCIPATION DEMANDED BY THE LOYAL STATES—LETTER OF MR. GREELEY—LINCOLN'S REPLY—INTERVIEW WITH CHICAGO CLERGY—APPEAL OF THE FRIENDS OF FREEDOM—MR. LINCOLN READS THE PROCLAMATION TO HIS CABINET—ISSUED ON THE 22D SEPTEMBER—AFTER THE BATTLE OF ANTIETAM—INCIDENTS CONNECTED WITH IT—HOW RECEIVED.

IT is clear, from several paragraphs in the President's message, and it is known from other sources, that the slavery question occupied Mr. Lincoln's most anxious thoughts, and that he was considering the subject of emancipation under military authority, and as a military necessity. He alludes to a paragraph in his annual message which declared "that the Union must be preserved, and hence all *indispensable means* must be employed. I said this not *hastily* but *deliberately*. If resistance continues, the war must continue; and it is *impossible to foresee* all the incidents which may attend it. Such as may seem *indispensable* or may obviously promise great efficiency toward ending the struggle *must and will come.*"

In these somewhat ambiguous paragraphs we now know that he alluded to the great proclamation of emancipation. It is clear that he considered this great question primarily, as it affected the success of the struggle in which the Nation was engaged to suppress the rebellion. If it was a proper and apt measure to effect that end, he might rightfully adopt it, not otherwise, however much he might desire universal freedom. He himself says, "when, in March, May and July, 1862, I made earnest and successive appeals to the border States to favor compensated emancipation, I believed

the indispensable necessity for military emancipation and arming the blacks would come, unless averted by that measure. They declined the proposition, and I was, in my best judgment, driven to the alternative of either surrendering the Union, or issuing the emancipation proclamation."

He honestly believed "*gradual* and not immediate emancipation would be better for all."

The message proposing compensated emancipation was promptly followed by a resolution of Congress, declaring "That the United States ought to coöperate with any State which may adopt gradual emancipation of slavery, giving to such State pecuniary aid." On the 9th of May, 1862, General David Hunter, whose zealous efforts to organize negro soldiers has already been noticed, issued an order declaring all the slaves within the States of South Carolina, Georgia and Florida, which composed his district, "*forever free.*"

This order came while Mr. Lincoln was himself considering the subject of emancipation by his own proclamation, and in the midst of his efforts to bring about gradual and compensated emancipation in the border States, and without any knowledge on his part of the General's intention to issue it. He, therefore, immediately issued a proclamation declaring that such order was unauthorized. He recites the resolution of Congress, proposing coöperation and pecuniary aid to any State which might adopt gradual emancipation, and declared that he reserved to himself, under his responsibility, the exercise of the power of emancipating slaves as a war measure, and which he could not feel justified in leaving to any subordinate in the field. He goes on to say, the resolution here referred to was adopted by a large majority in both branches of Congress, and now stands an authentic, definite and solemn proposal of the Nation to the States and people most interested in the subject matter. He then made this solemn and earnest appeal:

"To the people of these States, now, I earnestly appeal. I do not argue; I beseech you to make the argument for yourselves. You cannot, if you would, be blind to the signs of the times. I beg of you a solemn and enlarged consideration of them, ranging, if it may be, far above partisan and personal politics.

"This proposal makes common cause for a common object, casting no reproaches upon any one. It acts not the Pharisee. The change it contemplates would come gently, as the dews of Heaven, not rending or wrecking anything. Will you not embrace it? So much good has not been done by any one effort in all past time, as, in the Providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it."

In addition to the message sent to Congress, Mr. Lincoln invited an interview with the Congressional delegations of Kentucky, Missouri, Maryland, Virginia and Delaware. In this interview, the President urged the adoption of the plan of compensated emancipation, but received little encouragement from the representatives of the border slave States.

It is well known to the President's immediate friends that he had nearly reached the conclusion, that if the proposition for gradual or compensated emancipation should be rejected by the border States, that military necessity would require him to proclaim emancipation. "I believed," said he afterwards, "the indispensable necessity for military emancipation and arming the blacks would come, unless averted by gradual and compensated emancipation." How urgently he pressed the subject, appears from his proclamation in regard to General Hunter's order, and in his interview with the border State members.

In July, 1862, the President called the delegates from the border slave States again together, and again made to them his earnest and solemn appeal to accept gradual compensated emancipation. This appeal, submitted to them in writing, is full of earnest expostulation, argument and entreaty. Viewed in the light of subsequent events, it is full of sagacity, and the most wise statesmanship. Compare this great State paper with the reply and conduct of the distinguished men whom he addressed, and learn to appreciate the statesman. After advising them that, in his best judgment, the representatives of the border States held more power for good than any other equal number of members, he said that he intended no reproach, but he assured them, that in his opinion, if they had all voted for the resolution in the gradual emancipation message of March, the war would have been substantially ended. He went on to say that—

"The plan proposed is one of the most potent and swift measures of ending the war. Let the States which are in rebellion see definitely and certainly that in no event will the States you represent ever join their proposed Confederacy, and they cannot much longer maintain the contest. But you cannot divest them of their hope to ultimately have you with them, so long as you show a determination to perpetuate the institution within your own State. Beat them at elections as you have overwhelmingly done, and, nothing daunted, they still claim you as their own. You and I know what the lever of their power is. Break that lever before their faces, and they can shake you no more forever.

"Most of you have treated me with kindness and consideration, and I trust you will not now think I improperly touch what is exclusively your own, when, for the sake of the whole country, I ask, 'Can you, for your States, do better than to take the course I urge?' Discarding *punctilio* and maxims adapted to more manageable times, and looking only to the unprecedentedly stern facts of our case, can you do better in any possible event? You prefer that the constitutional relations of the States to the Nation shall be practically restored, without disturbance of the institution; and if this were done, my whole duty in this respect under the Constitution, and my oath of office would be performed. But it is not done, and we are trying to accomplish it by war. The incidents of the war cannot be avoided. If the war continues long, as it must, if the object be not sooner attained, the institution in your States will be extinguished by mere friction and abrasion — by the mere incidents of the war. It will be gone and you will have nothing valuable in lieu of it. Much of its value is gone already. How much better for you and for your people to take the step which at once shortens the war, and secures substantial compensation for that which is sure to be wholly lost in any other event! How much better to thus save the money which else we sink forever in the war! How much better to do it while we can, lest the war ere long render us pecuniarily unable to do it! How much better for you as seller, and the Nation as buyer, to sell out and buy out that without which the war could never have been, than to sink both the thing to be sold and the price of it in cutting one another's throats!

"I do not speak of emancipation *at once*, but of a *decision*, at once, to emancipate *gradually*. Room in South America for colonization can be obtained cheaply and in abundance, and where numbers shall be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go.

"I am pressed with a difficulty not yet mentioned, one which threatens division among those, who, united, are none too strong. An instance of it is known to you. General Hunter is an honest man. He was, and I hope is still my friend. I valued him none the less for his agreeing with me in the general wish that all men everywhere could be freed. He proclaimed all men free within certain States, and I repudiated the proclamation. He expected more good and less harm from the measure than I could believe would follow. Yet, in repudiating it, I gave dissatisfaction, if not offence, to many, whose support the country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me and is increasing. By conceding what I now ask, you can relieve me, and much more, can relieve the country in this important point.

"Upon these considerations, I have again begged your attention to the Message of March last. Before leaving the Capitol, consider and discuss it among yourselves. You are patriots and statesmen, and as such I pray you consider this proposition; and at the least, commend it to the consideration of your States and people. As you would perpetuate popular government for the best people in the world, I beseech you that you do in nowise omit this. Our common country is in great peril, demanding the loftiest views and boldest action to bring a speedy relief. Once relieved, its form of government is saved to the world, its beloved history and cherished memories are vindicated, and its happy future fully assured, and rendered inconceivably grand. To you more than to any others, the privilege is given to assure that happiness and swell that grandeur, and to link your own names therewith forever."

This appeal was received by some with apathy, caviling and opposition; by a few with sympathy. But no action—no efficient action; nothing practical was done, on the part of the border slave States. No! slavery had so entwined itself in the social fabric that nothing but the violence, force, and fire of war could tear it away. The communities would not yet voluntarily relinquish it.

The intense feeling of Mr. Lincoln on this subject was expressed by him to two members of Congress, old friends, from Illinois, (Owen Lovejoy and the Author,) who called upon him Sunday evening, July 13th, at his Summer residence at the "Soldiers' Home." He conversed freely with them of his late interview with the border State members. "Oh," said he in conclusion, "if the border States would

accept my proposition! Then," said he, "you Lovejoy and Arnold, and all of us, would not have lived in vain! The labor of your life, Lovejoy, would be crowned with success —you would live to see the end of slavery." Such was his passionate desire that slavery might end. The President, in his message, again pressed the subject upon the consideration of Congress; but his closing remarks indicate the advance of his mind towards the necessity of universal and immediate emancipation. He says, "In giving freedom to the slave, we assure freedom to the free, honorable alike in what we give and what we preserve. * * * Other means may succeed; this could not fail. The way is plain, peaceful, generous, just; a way which, if followed, the world will forever applaud, and God must forever bless."

Meanwhile, the public sentiment in the North was growing stronger and more intense, demanding of the President, immediate and unconditional emancipation. A large party in the loyal States had all along insisted that the most direct way of crushing the rebellion, was to crush slavery. They insisted that the commander-in-chief, by proclaiming liberty, would bring hundreds and thousands of colored men to the ranks of the Union armies. It was insisted that to accept the distinct issue tendered by the slaveholders between liberty and slavery, would bring a moral power to the support of the Government, which would be felt both at home and abroad. The Republican press of the loyal States, with some exceptions, earnestly and importunately demanded that the President, availing himself of the occasion and provisions of the confiscation act, should proclaim instant liberation to every slave belonging to a rebel master. The more violent of the press and of the Republican partisans denounced the President for his remissness. The distinguished editor of the New York *Tribune*, whose writings had contributed as much, if not more than those of any other man towards the formation of the Republican party, and the election of Mr. Lincoln, addressed the President under his own name in the *Tribune*, urging emancipation, and remonstrating severely for the failure of Mr. Lincoln to adopt a more vigorous and determined policy.

This letter was published on the 19th of August, and on the 22d, Mr. Lincoln issued from the Executive Mansion a reply. This answer, frank, open, generous and conscientious, unfolded to the people the motives which controlled his conduct. Mr. Lincoln was criticised for replying to the latter, as an act wanting in dignity. But this being a government of the people, he as their President, wished them fully to understand his motives. He said:

"My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it, and if I could save it by freeing some, and leaving others alone, I would do it."

He was not yet quite prepared to issue a proclamation fraught with such momentous consequences; yet his mind was anxiously revolving the subject; he discussed it with all from whom he supposed he could obtain new suggestions or arguments, or from whom he could learn the drift of public opinion. He would often make suggestions, and argue the case against emancipation to obtain the views of others.

To personal friends of the Illinois delegation in Congress, who conferred with him on the subject, he said that, in his letter to Mr. Greeley, he meant that he would proclaim freedom to the slave just as soon as he felt assured he could do it effectively; that the people would stand by him, and that, by doing so, he could strengthen the Union cause. He was assured by them in reply, that the people would stand by him, and that they were impatient for it.

On the 13th of September, 1862, he received a delegation of the clergy of nearly all the religious denominations of Chicago, who waited upon him with a memorial, urging immediate emancipation.

For the purpose of fully eliciting their views, he started objections to the policy they urged, and in accordance with his old practice at the bar, he made an argument against his own views, and against the policy he had nearly or quite concluded to pursue. After a full conference and free discussion, the President said, "I have not decided against a

proclamation of liberty to the slaves, but hold the matter under advisement; and I can assure you the matter is on my mind by day and by night, more than any other. Whatever shall appear to be God's will, I will do."

While this momentous question was thus agitating the mind of the President, involving the existence of slavery in North America, while the civilized world was watching with interest the result, the intense feeling and anxiety on the subject, found expression in daily prayers, sent up from church, cottage, and cabin, all through the loyal North, beseeching the great God to guide the President to the right conclusion. Thousands believed that the fate not only of African slavery, but also of the Republic hung upon the issue. The friends of freedom from Europe, from France, Italy, Germany and Great Britain, sent messages to their friends on this side of the water, saying that recognition and intervention were imminent, and that the best and most efficient means of prevention, was to make the distinct issue with slavery. Some of our representatives at foreign Courts advised the Secretary of State, that there was danger of intervention by foreign Governments, and that such danger could be best averted by emancipation.

The friends of the Union abroad had become somewhat indifferent. The organs of the rebellion in Europe, represented everywhere, that it was a mere struggle for empire, involving no great principle. The policy of several of the military commanders towards the slaves, the concessions constantly made to the border slave States, disgusted many ardent friends of liberty at home and abroad; as a remedy for this, the friends of the Union and liberty urged that the President should proclaim "freedom throughout the land to all the inhabitants thereof."

What, meanwhile, was the action and feelings of the negroes? They had long prayed for, hoped for freedom. The North star had often guided the panting fugitive to liberty. Armies had come to the slave from the free States, fighting their masters. The starry flag they now believed was to be the emblem of *their* liberty, as well as that of the white man. The Union soldiers had been always welcomed by the

negro. Food, guidance, information, succor and aid, to the extent of his limited and humble means were never sought from him in vain.

The millions of slaves from the Shenandoah to the rice swamps of Carolina, and the cane-brakes of Louisiana, believed that their day of Jubilee approached. In the fastnesses of swamps and forests, the long enslaved and downtrodden negro prayed for "*Massa Linkum*," and *liberty*. Their hopes and prayers for freedom have been happily expressed by the poet Whittier from whom I quote:

We pray de Lord; he gib us signs
Dat some day we be free;
De Norf wind tell it to de pines,
De wild duck to de sea;

We tink it when de church bell ring,
We dream it in de dream;
De rice bird mean it when he sing,
De Eagle when he scream.

De yam will grow, de cotton blow,
We'll hab de rice an' corn:
Oh nebber you fear if nebber you hear
De driver blow his horn!

Sing on, poor hearts! your chant shall be
Our sign of blight or bloom—
The vala-song of liberty,
Or death-rune of our doom!

Mr. Lincoln still *seemed* to hesitate; and the friends of emancipation renewed their efforts. They reminded the President of his own enunciation of the great truth, that freedom and slavery could not permanently exist together, and that our country would become "all free or all slave;" a truth that had been verified by the war which slavery was now waging. "Immortalize your Presidency," said they, "by yourself speaking the word which shall make it all free; slavery having brought on the war, it is fit it should die by the laws of war." It was urged that slavery before God and the world, stood responsible for all the calamities which the Republic was now suffering; every dollar expended, every suffering endured, every drop of blood spilled, every wound, and every death on the battle-field, and in hospital, is the penalty, the American people are paying for the existence and toleration of slavery. As slavery now stood before the

world as a *rebel* and a *traitor*, the President was urged to declare it an *outlaw* under the Constitution and laws. He was reminded that there never had been a day since the existence of the Republic, when slavery was loyal to the Constitution and the Union. To day an open enemy striking at the heart of the Nation, as it had always heretofore been a secret, stealthy traitor, undermining the Constitution, and sapping the foundation of our liberties. His attention was called to the moral and material desolation caused by this institution; the extent to which it had retarded National growth, and retained in brutal ignorance, and reduced toward barbarism, the people of some of the fairest sections of our country, and a once noble race of men. The aggressions of the slave power were recalled to his mind. Before the war it had caused in one half of the Union, the destruction of liberty of speech and freedom of the press; its attempts to suppress the right of petition, its perfidious repeal of the Missouri Compromise, the story of its barbarous outrages in Kansas were recounted; he was reminded that slavery had, previous to 1860, revolutionized the Government, nullifying the great principles of *magna charta* and the Declaration of Independence, on which the Republic was based. Slavery was charged with all the treasure and blood-shed of the terrible war then pending. It had already dug the graves of the half million citizens, patriots, and rebels sacrificed in the struggle. "Pity and relieve," urged they, "the victims of unrequited toil." In the name of the dead, which slavery had caused to be slaughtered, in the name of the country which it had desolated, in the name of the Constitution, which it had sought to overthrow, in the name of liberty with which it was incompatible, in the name of God, whose justice it defied, he was urged to decree the final abolition of slavery. "Seize the thunderbolt of liberty," cried the advocates of emancipation, "and shatter slavery to atoms."

It was thus that the friends of freedom impeached slavery before Abraham Lincoln, and demanded that he should pass sentence of death upon it. It was affirmed that there could be no permanent peace while slavery lived. A truce there might be, but peace, never. "The implacable enemy of lib-

erty and the Republic," they said to him, "now reels and staggers to its fall. It has by its own crime, placed itself in your power as military Commander-in-Chief. You cannot, if you would, and you ought not if you could, make any terms of permanent compromise with slavery. You have abolished it at the National Capital. You have prohibited it in all the territories. You will cause to be hung as a pirate, any man participating in the slave trade. You have carved off and made free West Virginia, from the slaveholding Old Dominion. You have enlisted and are enlisting negro soldiers, and they have carried your banner bravely in many a hard fought battle-field. You have pledged your faith to God, and to them, that they and their families shall be forever free. That promise having been made, none doubt you will sacredly keep. Here then we stand on the threshold of universal emancipation! You cannot retreat, and should not halt. Let slavery die!"

Why withhold the blow that shall strike down the cause of all this desolation, suffering and bloodshed? Why not let the suicide of slavery be consummated? "Annihilate," said they, "all rebel slaveholders by the emancipation of all slaves!"

Mr. Lincoln listened, not unmoved to such appeals, and seeking prayerfully the guidance of Almighty God, the proclamation of emancipation was prepared; it had been in fact, prepared in July, 1862. Late in that month, or early in August, Mr. Lincoln, in his own mind, and without consulting his Cabinet, resolved to issue the emancipation edict, and prepared a draft of the proclamation. He then called a meeting of his Cabinet, which at that time consisted of Seward, Stanton, Chase, Welles, Blair, Smith, and Bates. The President said to them, he had resolved upon his course, and he had called them together, not to ask their advice on this subject, but to lay the Proclamation before them. After it had been read, there was some discussion in the Cabinet. Mr. Blair expressed the fear that it would cause the loss of the fall elections. This did not at all shake the President's determination to issue it. Mr. Seward said:

"Mr. President, I approve of the Proclamation, but I question the expediency of its issue at this juncture. The depression of the public mind, consequent upon our repeated reverses is so great, that I fear the effect of so important a step. It may be viewed as the last measure of an exhausted Government—a cry for help; the Government stretching forth its hands to Ethiopia, instead of Ethiopia, stretching forth her hands to the Government. Now, while I approve the measure, I suggest, sir, that you postpone its issue until you can give it to the country supported by military success, instead of issuing it, as would be the case now, upon the greatest disasters of the war!"

Mr. Lincoln was impressed by these considerations, and resolved to delay the issuing of the proclamation for the time. These events had been occurring in the darkest days of the Summer of 1862, made gloomy by the disastrous campaigns of McClellan and Pope.

We know that Mr. Lincoln now only waited for success to the National arms, pledging his vows to God, that with the next shouts of victory, should go forth the edict of liberty to the captive!

Immediately after the battle of Antietam, and just before the issuing of the proclamation, the President said to his Cabinet: "The time for the annunciation of the emancipation policy can no longer be delayed. Public sentiment will sustain it. Many of my warmest friends and supporters demand it; and *I have made a solemn vow to God that I will do it.*" He said to a friend, "I made a solemn vow before God, that if General Lee was driven back from Pennsylvania, I would crown the result by the proclamation of freedom to the slaves." The concluding words of the paper: "and upon this act, sincerely believed to be an act of justice, warranted by the Constitution, (and upon military necessity,) I invoke the considerate judgment of mankind and the gracious favor of Almighty God," were written by Secretary Chase, except the words "upon military necessity," which were added by Mr. Lincoln. We know that Mr. Lincoln regarded the proclamation as the central pivot act of his administration, and the world has characterized it, as the great event of the nineteenth century.

Thus as an act, of almost divine inspiration, was sent forth this great State paper — an act which will live forever in history as one of those great events which measure the advance of the world. The historian will rank it alongside with the acquisition of *magna charta and the Declaration of Independence.**

*The following statement of the history of the issuing of the proclamation is made by F. B. Carpenter, Esq., the artist who perpetuated upon canvass, the scene of the first reading of the proclamation by Mr. Lincoln, to his Cabinet. Mr. Carpenter spent several weeks at the White House, and became a favorite of the President. I will only add, what is not at all necessary by way of corroboration, that the same statement in substance, was made by Mr. Lincoln to other friends.

Mr. Lincoln said, "It had got to be midsummer, 1862. Things had gone on from bad to worse, until I felt that we had reached the end of our rope on the plan of operations we had been pursuing; that we had about played our last card, and must change our tactics or lose the game. I now determined upon the adoption of the emancipation policy; and without consultation with, or the knowledge of, the Cabinet, I prepared the original draft of the proclamation, and, after much anxious thought, called a Cabinet meeting upon the subject. This was the last of July, or the first part of August, 1862, [the exact date he did not remember.] This Cabinet meeting took place, I think, upon a Saturday. All were present, excepting Mr. Blair, the Postmaster General, who was absent at the opening of the discussion, but came in subsequently. I said to the Cabinet, that I had resolved upon this step, and had not called them together to ask their advice, but to lay the subject matter of a proclamation before them; suggestions as to which would be in order, after they had heard it read. * * * Various suggestions were offered. Secretary Chase wished the language stronger in reference to the arming of the blacks. Mr. Blair, after he came in, deprecated the policy, on the ground that it would cost the administration the Fall elections. Nothing, however, was offered that I had not already fully anticipated in my own mind, until Secretary Seward spoke. Said he, 'Mr. President, I approve of the proclamation, but I question the expediency of its issue at this juncture. The depression of the public mind, consequent upon our repeated reverses, is so great, that I fear the effect of so important a step. It may be viewed as the last measure of an exhausted Government — a cry for help; the Government stretching forth its hands to Ethiopia, instead of Ethiopia stretching forth her hands to the Government.' His idea was, that it would be considered one last *shriek* on the retreat. 'Now,' continued Mr. Seward, 'while I approve the measure, I suggest, sir, that you postpone its issue until you can give it to the country supported by military success, instead of issuing it, as would be the case now, upon the greatest disasters of the war.' The wisdom of the view of the Secretary of State struck me with very great force. It was an aspect of the case that, in all my thought upon the subject, I had entirely overlooked. The result was, that I put the draft of the proclamation aside, as you do your sketch for a picture, waiting for a victory. From time to time, I added or enlarged a line, touching it up here and there, waiting the progress of events. Well, the next news we had, was of Pope's disaster at Bull Run. Things looked darker than ever. Finally came the week of the battle of Antietam, and I determined to wait no longer. The news came, I think, on Wednesday, that the advantage was on our side. I was then staying at the Soldiers' Home, (three miles out of Washington.) Here I finished writing the second draft of the preliminary proclamation; came up one Saturday, called the Cabinet together to hear it, and it was published the following Monday."

But Mr. Lincoln, always reticent, as to his deepest sources of feeling, did not tell the young artist that which he learnt from a member of the Cabinet.

"Mr. Chase told me, that at the Cabinet meeting immediately after the battle of Antietam, and just prior to the issue of the September proclamation, the President entered upon the business before them, by saying that the time for the annunciation of the emancipation policy could no longer be delayed. Public sentiment, he thought, would sustain it, many of his warmest friends and supporters demanded

It is indeed the *magna charta of the negro race.* Just men everywhere recognized it as a great act of humanity and justice. As a matter of State policy, its wisdom was speedily vindicated.

The following is the *Proclamation of September 22d, 1862:*

"I, ABRAHAM LINCOLN, President of the United States of America, and Commander-in-Chief of the army and navy thereof, do hereby proclaim and declare, that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the Constitutional relation between the United States, and each of the States, and the people thereof, in which States that relation is or may be suspended or disturbed.

"That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all Slave States so-called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent, with their consent, upon this continent or elsewhere, with the previously obtained consent of the Governments existing there, will be continued.

"That on the first day of January, in the year of our Lord, one thousand eight hundred and sixty-three, *all persons held as slaves, within any State, or designated part of a State, the people whereof, shall then be in rebellion against the United States, shall be then, thenceforward,* AND FOREVER FREE; *and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons,* and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January, aforesaid, by proclamation, designate the States, and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day, be, in good faith, represented in the Congress of the United States by members chosen thereto at elections, wherein a majority of the qualified voters of such State shall have participated, shall, in the absence

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it, '*and he had promised his God that he would do it.*' The last part of this was uttered in a low tone, and appeared to be heard by no one but Secretary Chase, who was sitting near him. He asked the President if he correctly understood him? Mr. Lincoln replied, 'I made a solemn vow before God, that if General Lee was driven back from Pennsylvania, I would crown the result by the declaration of freedom to the slaves.'"

of strong countervailing testimony, be deemed conclusive evidence, that such State, and the people thereof, are not then in rebellion against the United States."

"That attention is hereby called to an act of Congress entitled 'An Act to make an additional Article of War,' approved March 13th, 1862, and which act is in the words and figures following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such:

ARTICLE.—All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due; and any officer who shall be found guilty by court-martial of violating this article shall be dismissd from the service.

SEC. 2. *And be it further enacted*, That this act shall take effect from and after its passage.

"Also, to the ninth and tenth sections of an act entitled 'An Act to Suppress Insurrection, to Punish Treason and Rebellion, to seize and Confiscate Property of Rebels, and for other Purposes,' approved July 16, 1862, and which sections are in the words and figures following:

SEC. 9. *And be it further enacted*, That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons, or deserted by them and coming under the control of the Government of the United States; and all slaves of such persons found *on* [or] being within any place occupied by rebel forces and afterward occupied by forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

SEC. 10. *And be it further enacted*, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

"And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act and sections above recited.

"And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion, shall (upon the restoration of the Constitutional relation between the United States and their respective States and people,

if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

'Done at the city of Washington, this twenty-second day of September, in the year of our Lord one thousand eight hundred
[L. S.] and sixty-two, and of the Independence of the United States the eighty-seventh.

"ABRAHAM LINCOLN."

"By the President:

"WILLIAM H. SEWARD, *Secretary of State.*"

On the 1st of January thereafter, the final proclamation was issued in these words:

"WHEREAS, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation, was issued by the President of the United States, containing among other things, the following, to wit:

"That on the first day of January, in the year of our Lord, one thousand eight hundred and sixty-three, all persons held as slaves within any State, or designated part of a State, the people whereof, shall then be in rebellion against the United States, shall be then, thenceforward and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January, aforesaid, by proclamation, designate the States, and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States, by members chosen thereto, at elections, wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States.

"Now, therefore, I, ABRAHAM LINCOLN, President of the United States, by virtue of the power in me vested, as Commander-in-Chief of the army and navy of the United States, in time of actual armed rebellion against the authority of and Government of the United States, and

as a fit and necessary war measure for suppressing said rebellion, do on this first day of January, in the year of our Lord, one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate as the States, and parts of States, wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit: Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St, Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Marie, St. Martin, and Orleans, including the city of New Orleans,) Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Anne, and Norfolk, including the cities of Norfolk and Portsmouth,) and which excepted parts are for the present left precisely as if this proclamation were not issued.

"And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves, within said designated States, and parts of States, ARE, AND HENCEFORWARD SHALL BE FREE; and that the Executive Government of the United States, including the military and naval authorities thereof, *will recognize and* MAINTAIN *the freedom of said persons.*

"And I hereby enjoin upon the people so declared to be free, to abstain from all violence, unless in necessary self defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

"And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

"*And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.*"

"In testimony whereof, I have hereunto set my name, and caused the seal of the United States to be affixed.

"Done at the city of Washington, this first day of January, in the [L. S.] year of our Lord, one thousand eight hundred and sixty-three, and of the Independence of the United States, the eighty-seventh.

"ABRAHAM LINCOLN.

"By the President,

"WILLIAM H. SEWARD, *Secretary of State.*"

The States enumerated are ten, and the number of slaves made free by this edict, exceed three millions! Is there any act in history, which in its grandeur and sublimity can be ranked above, or compared with this? *

This immortal State paper gave effect to the deepest, strongest desire of the soul of its author—that slavery should be no more.

From its promulgation will be forever dated, the overthrow of slavery in the Republic, and Lincoln's name must justly go upon the record as the author of that overthrow.

The proclamation expressed the intense, enthusiastic, sublime devotion to liberty, which then pervaded the public mind. In it, Lincoln gave practical application to the great principle of right embodied in the Declaration of Independence.

Before the sun went down on the memorable 22d of September, the proclamation had been flashed by the telegraph, to

* The original draft of the proclamation is now in the possession of *Thomas B. Bryan, Esq.*, a citizen of Chicago. It was purchased by him, at the Northwestern Fair for the Sanitary Commission, held at Chicago, in the Autumn of 1863. The following notes will show how it came to the Fair:

WASHINGTON, October 13, 1863.

To the PRESIDENT,

My Dear Sir: I take the liberty of enclosing to you the circular of the *Northwestern Fair* for the Sanitary Commission, for the benefit and aid of the brave and patriotic soldiers of the Northwest. The ladies engaged in this enterprise, will feel honored by your countenance, and grateful for any aid it may be convenient for you to give them.

At their suggestion, I ask, that you would send them, the original of your proclamation of freedom, to be disposed of for the benefit of the soldiers, and then deposited in the Historical Society of Chicago, where it would ever be regarded as a relic of great interest. This, or any other aid it may be convenient for you to render, would have peculiar interest as coming from one whom the Northwest holds in the highest honor and respect.

Very respectfully, yours,
ISAAC N. ARNOLD.

EXECUTIVE MANSION, WASHINGTON, October 26, 1863.

LADIES HAVING IN CHARGE THE NORTHWESTERN
FAIR FOR THE SANITARY COMMISSION, *Chicago, Illinois,*

According to the request made in your behalf, the original draft of the emancipation proclamation, is herewith enclosed. The formal words at the top, and the conclusion, except the signature you perceive, are not in my handwriting. They were written at the State Department, by whom, I know not. The printed part was cut from a copy of the preliminary proclamation, and pasted on merely to save writing. *I had some desire to retain the paper; but if it shall contribute to the relief or comfort of the soldiers, that will be better.*

Your ob't serv't.
A. LINCOLN

every portion of the Republic. It was hailed by a large majority of the loyal men of the Nation, with gratitude to God; bells rang out their joyous peals from all New England, New York, along the mountains of Pennsylvania, over the broad prairies of the West, and to the infant settlements skirting the base of the Rocky Mountains. Public meetings were held; resolutions of approval adopted, and in thousands of churches, public thanksgiving was rendered for the great event. In many portions of the army, the proclamation was received with cheers, and salvos of artillery; in others, and especially that commanded by General McClellan, some murmurs of dissatisfaction were heard; but the effect generally, was inspiriting. Elevated by its sublime sentiments, new vows were pledged to the country and to liberty; and the enthusiasm of a very large portion of the people was stimulated to the highest point.

The war now assumed an energy, vitality, and earnestness unknown before. From this time on, it meant universal liberty.

On the 24th of September, there was a meeting of the Governors of the loyal States, held at Altoona, Pennsylvania, and in an address to the President, they said, "We hail with heartfelt gratitude and encouraged hope, the proclamation of the President, issued on the 22d inst., declaring emancipated from their bondage, all persons held to service or labor, as slaves in the rebel States, where rebellion shall last until the first of January next ensuing." *

"Now," said Mr. Lincoln, "we have got the harpoon fairly into the monster slavery, we must take care that in his extremity, he does not shipwreck the country."

The soldiers who now flocked to the Union standard, were like the Roundheads of Cromwell, strong in a great principle; and they never doubted success. When the words liberty and emancipation were thus sounded through the land, they aroused the manhood of the long enslaved African, and thousands upon thousands joined the Union cause, until before the close of the war, nearly two hundred thousand, as has been already stated, were mustered into the Union army

* Vide McPherson, p. 232.

The black man from this time, became not only a soldier, but a *fellow* soldier.

Congress, not less emphatically than the people, endorsed the proclamation.

On the 15th of December, 1862, on motion of Mr. Fessenden, of Maine, the House, by a very large majority of votes,

"*Resolved*, That the proclamation of the President of the United States, of the date of the 22d of September, 1862, is warranted by the Constitution; that the policy of emancipation, as indicated in that proclamation, is well adapted to hasten the restoration of peace, was well chosen as a war measure, and is an exercise of power, with proper regard for the rights of the States, and the prosperity of free Government."

The principle of justice to the colored man, and liberty to all, theretofore advocated by a party long stigmatized as abolitionists, a name which had ceased to be a term of reproach, had advanced until the proclamation was justly regarded as heralding its final and complete triumph.

Along the pathway of the once feeble, obscure, and contemned abolitionist, to final victory, can be traced the wrecks of many parties, many ecclesiastical organizations, and many great names of those who had fallen by placing themselves in the way of its progress. Truth and justice, right and liberty be mighty things to conjure with, and vain is the power of man when he tries to stop their advance. The timid and over cautious were startled by the boldness of the measure, and the opponents of the administration and those who sympathized with secession, hoped to make this act the means of the political defeat of the administration. They under-estimated the strength of a great cause, and the power of boldness in behalf of a great principle. From this day down to its final triumph, the Union was crowned with victory and success. Meanwhile, addresses of congratulation and sympathy poured in from the *peoples* of European Kingdoms. By presenting the National struggle as a clearly defined contest between liberty and slavery, the attitude of Europe towards the United States was changed. The Government of no intelligent people, could now afford to intervene

in behalf of slavery. And yet, when this proclamation reached England, Lord Russell, in a dispatch to Lord Lyons, the British Minister at Washington, sneered at the paper, "as a measure of a very questionable kind;" an act of vengeance on the slave owner; "It professes" said he, "to emancipate slaves, where the United States cannot make emancipation a reality, but emancipates no one where the decree can be carried into effect."

But perhaps to his Lordship's regret, the United States did make emancipation a reality, and did carry the proclamation into effect, to the extent of freeing every slave in the Republic.

It will be observed that the proclamation did not include the great State of Tennessee. It is known that it was omitted in deference to the judgment of Andrew Johnson, and other distinguished Union men of that State.* A year had not elapsed before many of them regretted the omission, and the Unionists of Tennessee, ere long vindicated the wisdom of President Lincoln, by providing a remedy for the omission in adopting a new Constitution abolishing and prohibiting slavery.†

*Such was the statement of Mr. Lincoln to the author.

†A letter, of which the following is a copy, was placed in the hands of Mr. Johnson, early in August, 1866:

CHICAGO, August 1, 1866.

To the Honorable ANDREW JOHNSON, *President of the United States:*

Sir: I am preparing a History of Abraham Lincoln and the Overthrow of Slavery in the United States. There are some circumstances connected with the Emancipation Proclamation of President Lincoln, about which, before the book comes from the press, I should be glad to be advised by you.

I understood Mr. Lincoln to say, that Tennessee was not included in the proclamation, because you and other earnest Union men of Tennessee, in whose patriotism, loyalty and devotion to freedom, he had the greatest confidence, thought it would, at the time, embarrass the Union cause in that State; but that before a year had gone by, such was the change in public sentiment, that you, and other Union men in Tennessee, expressed regret that Tennessee had not been included in the proclamation; but, he added, they have remedied the mistake, if it was one, by abolishing and prohibiting slavery in their new State Constitution of Tennessee. This was the substance of what I understood Mr. Lincoln to say. I do not feel at liberty, however, to make the statement as a part of the history of the great event without submitting it to you, and respectfully asking your recollection upon the subject.

Congratulating you upon the restoration of Tennessee to the Union, as a free State, and expressing the hope, that during your administration, National unity, based on liberty and justice to all, may be completely restored,

I have the honor to be, very respectfully, your obedient servant,

I. N. ARNOLD.

No reply having been received to this letter, the author concludes that Mr. Johnson does not suggest any alteration in the statement.

Facts have already been stated, indicating the deep religious solemnity of feeling under which Mr. Lincoln issued this proclamation. Another circumstance may be stated, illustrating alike a religious feeling approaching superstition, as well as the characteristic playfulness of the President. A friend on one occasion reminded him that he had given the pen with which the proclamation was signed, to Senator Sumner. "Yes," said the President, "I had promised Sumner the pen. On New Year's day, (the 1st of January, 1863,) the final proclamation was all ready to be signed and sent to the press, except that some blanks of portions of the State of Louisiana, which were to be excepted were to be filled up. I went down to the parlor and held a very crowded reception. During the time I was receiving calls, the information which would enable me to fill up these blanks was furnished me, and I left the drawing room and hastened up stairs to sign and send to the associated press, the proclamation. As I took up a pen to sign the paper, my hand and arm trembled and shook so violently, that I could not write. I could not for a moment, control my arm. I paused, and a superstitious feeling came over me which made me hesitate. (No wonder the hand of the President shook when about to seize and hurl this thunderbolt of war!) In a moment I remembered that I had been shaking hands for hours, with several hundred people, and hence a very simple explanation of the trembling and shaking of my arm. With a laugh at my own superstitious thought, I signed and sent off the paper. Sumner soon after calling for the pen, out of half a dozen on my table, I gave him the one I had most probably used."*

In this connection, it may not be out of place to add, that it was during this year that Edward Bates, the Attorney General, gave an elaborate opinion, establishing the conclusion, that free colored persons born in the United States, were citizens. After a very learned examination, he came

* Mr. Carpenter, in his "*Six Months* at the White House," says, "Mr. Lincoln said to Mr. Seward, who was present, 'I have been shaking hands all day, and my right arm is nearly paralyzed. If my name ever gets into history, it will be for this act, and my whole soul is in it. If my hand trembles, when I sign the proclamation, all who examine the document hereafter, will say, 'He hesitated.' He then turned to the table, took up the pen, and slowly and firmly wrote ABRAHAM LINCOLN. He looked up, smiled, and said, "That will do."

to the conclusion that "all free persons, without distinction of race or color, if native born, are citizens." This conclusion was a very great revolution from the dogmas of the Dred Scott opinions. He made the distinction between inherent civil rights of citizens, and political privileges of certain classes. All citizens, male or female, white or black, are entitled to equal protection by the law; but only those designated enjoy the political privilege of voting.

CHAPTER XIV.

MILITARY OPERATIONS OF 1862.

INACTIVITY OF MCCLELLAN — PRESIDENT'S ORDER FOR A GENERAL ADVANCE — ACTIVE OPERATIONS IN THE WEST — BATTLE OF MIDDLE CREEK — MILL SPRING — CAPTURE OF FORTS HENRY AND DONELSON — MITCHELL'S MARCH TO BOWLING GREEN — UNION TROOPS OCCUPY NASHVILLE — CAPTURE OF ROANOKE ISLAND AND NEWBERN — PEA RIDGE — NEW MADRID — ISLAND NUMBER TEN — SHILOH — CORINTH — CAPTURE OF NEW ORLEANS.

IN order that a consecutive narration of the series of measures adopted by Congress and the Executive, upon the all-important question of slavery, might be given, down to the period of emancipation, military movements in their chronological order have been omitted. We now return to take up the history of these events, which, though more attractive perhaps to the general reader, are less important than a clear and accurate understanding of the progress of ideas and their embodiment in the forms of law.

It was not until late in 1861, that the country fully appreciated, or was at all prepared for the stupendous war impending.

The work of 1861 was that of preparation. By the 1st of December, the whole number of men mustered into the army had reached nearly or quite 640,000.* The leading features of the plan of the war seemed to be — *First*, To blockade the entire coast of the insurgent States. *Second*, The military occupation of the border slave States. *Third*, The recovery of the Mississippi River to the Gulf, by which the Confederacy would be divided, and the great outlet of the Northwest be secured. *Fourth*, The destruction of the rebel army in Virginia, and the conquest of Richmond, the rebel Capital. To accomplish these great purposes, and to

* Report of the Secretary of War, December, 1861.

resist such accomplishment, the most stupendous military preparations were made on both sides. General McClellan had, in the Autumn of 1861, under his immediate command at Washington and vicinity, and on the Baltimore and Ohio Railroad, and at Fortress Monroe, more than 200,000 well appointed, well armed and well disciplined men. This army was called the Army of the Potomac. General Buell had, in Kentucky, more than 100,000 men. The rebel force opposed to General McClellan, was estimated at 175,000 men, but it is now known to have been less, and occupied positions at Yorktown and Fredericksburg; the main body fortified at Centreville, the left wing extending to Leesburg, with detachments at Winchester and Martinsburg.

General McClellan had, as commander-in-chief, control over Halleck, commander of the Department of the West, Buell, commanding in Kentucky, Burnside, in North Carolina, and W. T. Sherman, in South Carolina.

The inactivity of General McClellan in the Autumn and Winter of 1861–2, was a source of dissatisfaction and complaint on the part of the people and Congress, and uneasiness on the part of the President. He had under his immediate command, the largest and best equipped and appointed army of the United States. The weather during all that Autumn and Winter, into February, was the finest possible; clear and dry, and the roads in good order, and yet with his vast army, he permitted the Potomac to be blockaded by shore batteries at Acquia Creek and elsewhere; and the rebel flag to be raised and flaunted in his face and that of the Nation, from the hills which overlook Washington, and within sight of the dome of the Capitol. But even this did not provoke the extremely cautious, "Young Napoleon," as General McClellan was called, to make any vigorous efforts to dislodge the rebels and drive them away. This was the era of magnificent reviews, brilliant parades, showy uniforms and festive parties.

Impatient of the inactivity of the army under General McClellan, the President, after seeing the Summer and the Autumn pass slowly away, on the 27th of January, issued the following order:

"EXECUTIVE MANSION, January 27, 1862.

"PRESIDENT'S GENERAL WAR ORDER, No. 1.

"Ordered that the 22d day of February, 1862, be the day for a general movement of the land and naval forces of the United States against the insurgent forces. That especially—

"The Army at and about Fortress Monroe.

"The Army of the Potomac.

"The Army of Western Virginia.

"The Army near Mumfordsville, Kentucky.

"The Army and Flotilla at Cairo.

"And a Naval force in the Gulf of Mexico, be ready for a movement on that day.

"That all other forces, both land and naval, with their respective commanders, obey existing orders for the time, and be ready to obey additional orders, when duly given.

"That the Heads of Departments, and especially the Secretaries of War and of the Navy, with all their subordinates, and the General-in-Chief, with all other commanders and subordinates of land and naval forces, will severally be held to their strict and full responsibilities for the prompt execution of this order.

"ABRAHAM LINCOLN."

While the Army of the Potomac was chafing under its constrained idleness, the Western troops, far less perfectly armed and appointed, and which had been compelled to take the refuse arms from the East, were constantly marching and fighting. On the 6th of November, General Grant, moving from Cairo, attacked and took possession of Belmont, and destroyed the military stores, belonging to the enemy, at that place. This was the beginning of the brilliant military career of the Lieutenant General.

Colonel Garfield, of Ohio, on the 10th of January, defeated Humphrey Marshall at Middle Creek, near Paintsville, Kentucky.

On the 19th of January, General George H. Thomas, the loyal Virginia soldier, gained the brilliant victory over the rebel General Zollikoffer, at Mill Spring. Zollikoffer was killed in this battle, fighting with a valor worthy of a better cause. These inspiriting successes did not entirely dissipate the gloom which prevailed, growing out of the mysterious inaction of the Grand Army of the Potomac.

The rebel lines in Tennessee and Kentucky were penetrated by the Cumberland and Tennessee rivers. These rivers running northerly empty into the Ohio. To secure these rivers against the approach of gun-boats, which the sagacity of Fremont had early caused to be constructed for the Mississippi and its tributaries, the insurgents had constructed Fort Henry on the Tennessee, and Fort Donelson on the Cumberland.

Flag officer Foote, one of the most brave, energetic, skillful Christian officers who ever trod the deck of a gunboat, commanded the fleet on the Western rivers. General Grant and the Commodore coöperating, in January, planned an attack on Fort Henry. Foote, on the 6th of February, with his gunboats, attacked and captured Fort Henry, before the land force under Grant reached the fort.

General Grant immediately moved to the attack of Fort Donelson, and with the gunboats of Commodore Foote, invested the fort on the 16th of February. After several days of hard fighting, a flag of truce was sent to General Grant, by General Buckner, in command of the fort, asking for an armistice for the purpose of settling terms of surrender. General Grant replied: "No terms except unconditional and immediate surrender can be accepted. I propose to move immediately on your works." The garrison did not wait the attack, but surrendered at discretion. General Buckner, and about 15,000 troops, and 20,000 stand of arms, were surrendered to General Grant. This victory, and the note of General Grant to Buckner, gave to "U. S. Grant," the popular name of "unconditional surrender Grant."

This magnificent success, electrified the country, and Mr. Lincoln, whose face had become care-worn and anxious, looked ten years younger the evening of the reception of the news. Congress was jubilant.

On the next day, the 17th, a member of Congress opened his speech, with the expression, "twenty millions of people, are to day rejoicing over a great victory, the most brilliant of the war."

General Floyd, who had command, and who was the treacherous Secretary of War, under President Buchanan,

conscious of his extreme guilt, did not dare to surrender, but escaped during the night before the surrender.

The capture of Henry and Donelson, were important and substantial successes, both as it respects the men and material of war taken, and positions secured. They inspired the drooping spirits of the people. These brilliant successes, accomplished over physical obstacles, far greater than any which would have impeded the march of the army of the Potomac, induced comparisons between the Western officers and those of the East.

The successes of Thomas, Foote, and Grant, compelled the evacuation of Kentucky by the rebels, and opened Tennessee to the Union forces. Columbus was necessarily evacuated by the insurgents.

The fall of Fort Donelson was followed by the immediate evacuation of Bowling Green, by the rebels. General Mitchell, of General Buell's army, by a forced march, reached that place on the 15th of February. An extract from the address which he issued to his soldiers, will illustrate the resolution, vigor, activity and heroism of the Western soldiers in their winter campaigns in the Valley of the Mississippi, and cannot but force a contrast with the continued idleness, (excused by McClellan, on account of bad roads,) of the brave army of the Potomac:

"Soldiers of the Third Division! You have executed a march of forty miles in twenty-eight hours and a half. The fallen timber and other obstructions, opposed by the enemy to your movements, have been swept from your path. The fire of your artillery and the bursting of your shells announced your arrival. Surprised, and ignorant of the force that had thus precipitated itself upon them, they fled in consternation.

"In the night-time, over a frozen, rocky, precipitous pathway, down rude steps for fifty feet, you have passed the advanced guard, cavalry and infantry, and before the dawn of day, you have entered in triumph a position of extraordinary strength, which by your enemy, was proudly denominated the Gibraltar of Kentucky.

"With your own hands, through deep mud and in drenching rains, and up rocky pathways next to impassable, and across a footpath of your own constructing, built upon the ruins of the railway bridge, destroyed for their

protection, by a retreating and panic stricken foe, you have transported upon your own shoulders, your luggage and camp equipage."

On the 24th of February, the Union troops, without opposition, took possession of Nashville, the Capital of the great State of Tennessee. With the Capital, there fell into the hands of the Union troops an immense amount of stores and provisions.

On the 12th of March, Senator Andrew Johnson, having been appointed provisional Governor of Tennessee, arrived at Nashville, and entered upon his duties.

It will be remembered that the Union sentiment in Tennessee was always strong. In the mountains of East Tennessee there were few slaves, and loyalty to the Union was general, and fidelity strong. The Union soldiers were received with acclamations of joy and gratitude

On the 8th of February, Roanoke Island, on the coast of North Carolina, with all its defenses, was captured by an expedition under command of General Burnside and Admiral Goldsborough; 2,000 prisoners, 40 guns, and 3,000 small arms were the results of this victory.

On the 14th of March, General Burnside captured Newbern, with 46 heavy guns, and a large amount of stores.

On the 11th of April, General David Hunter captured Fort Pulaski with 47 guns, and a large quantity of military stores.

On the 25th of April, the army and the naval forces captured Fort Macon, which commanded Beaufort Harbor, with the fort; the army capturing four hundred prisoners.

One of the most important results of these captures, was depriving the rebels of a large number of negroes, who everywhere, whenever the Union flag made its appearance, flocked to it, as the slave flees from bondage to liberty.

On the 6th, 7th and 8th of March, was fought the battle of Pea Ridge, in Arkansas, Generals Curtis and Sigel, commanding.

Curtis and Sigel having driven Price out of Missouri, and pursued him into Arkansas, General Halleck, with some exultation, on the 18th of February, telegraphed to Secretary Stanton, "that the Union flag is floating in Arkansas."

General Van Dorn reënforced Price, and concentrated the rebel forces, consisting of the Missouri troops under Price, the Arkansas and Louisiana troops, under General Ben. McCullough, and a body of Choctaw, Cherokee, and Chickasaw Indians, under Generals Pike and McIntosh. General Sigel was in advance, and was first attacked by the Confederates, in overwhelming numbers. With great ability and success, he brought off his command and formed a junction with General Davis, fighting and retreating with admirable skill.

On the 7th of March, the rebels attacked the Union forces; the battle raged furiously during the whole day, with severe loss on both sides. On this day, McCullough and McIntosh, and other prominent rebel officers were killed; but the rebels had the advantage over the right wing of General Curtis, while his left wing was victorious. On the 8th, the third day, General Sigel displayed consummate ability in massing his men, and in the use of artillery, and after terrible slaughter, the rebels were completely routed, and left the field in disorder. On this battle-field, after the battle, were found many Union soldiers tomahawked, scalped, and shamefully mutilated.

On the 13th of March, General John Pope, moving down the west bank of the Mississippi, succeeded in compelling the evacuation of New Madrid, and with the town, there fell into his hands 33 pieces of artillery, and an immense amount of military stores. General Pope, aided by the gunboats, then vigorously prosecuted the siege of Island No. 10.

On the night of the 1st of April, an exploit, with scarcely a parallel for its audacity and success, was performed by Colonel Roberts, of the Forty-second Illinois. Under cover of darkness, he landed on the Kentucky side, and spiked the guns of the upper fort, commanding the river, and retired without injury.

Island No. 10, was taken by General Pope on the 7th of April. With it, he captured 5,000 prisoners, over 100 heavy siege guns, 24 field pieces, small arms, military stores, material and provisions in large quantities. The position was one of great strength, and with its fall, the insurgents lost the control of the Mississippi Valley in that vicinity.

These successes produced astonishment among the insurgents of the Southwest. They saw Missouri, Kentucky, Arkansas, and Tennessee wrested from them. They began to realize the gigantic contest in which they were engaged.

Buell's army was concentrated at Nashville, and the rebel lines of defence from the Mississippi to the mountains, was broken through and swept away.

The rebels now made the most vigorous efforts to raise troops to repel the armies of Grant and Buel.

Beauregard was detached from the insurgent army in Virginia, and sent to the West, and the whole of the forces placed under command of General Albert Sidney Johnson. The defeat of this army of Johnson, would open the whole Southwest to the Union flag. The Confederates appreciated the importance of the impending conflict, and used every effort to gather a force adequate to repel the approaching and victorious legions of the Northwest. The address of General Johnson, to his soldiers issued from his fortified camp, at Corinth, April 3d, indicates that he regarded the contest as little less than decisive:

"Remember, soldiers," said he, "the precious stake involved — remember the dependence of your mothers, your wives, your sisters, your children, on the result — remember the fair, broad, abounding lands, the happy homes that will be desolated by your defeat. The eyes and hopes of eight millions of people rest upon you."

The great armies met on the 6th of April, and fought the battle of Shiloh, or Pittsburg Landing. The rebel army was commanded by Generals Johnson and Beauregard, and the Union army was under Grant and Buell. It was the purpose of Beauregard to attack and defeat Grant, before Buell, who had been ordered by Halleck to join Grant, should come up. Hence Beauregard advanced toward Grant with great rapidity, while Buell was somewhat tardy in marching to Grant. Before six o'clock, on the morning of the 6th of April, the rebel columns were in motion and attacked Grant's left, and coming on like a whirlwind, before 8 o'clock, captured General Prentiss, and 2,000 prisoners. This division was *very*

nearly surprised; and before they made any considerable resistance, were taken prisoners. The battle was sternly contested by Hurlbut's, McClernand's, and Sherman's divisions. The division of General W. H. L. Wallace occupied an exposed position, and upon this was hurled the weight of the rebel attack. Four different charges were made upon this gallant division, but each time, under their cool and brave leader, they repelled the enemy. But the gallant Wallace was mortally wounded, and the whole of the Union army was forced reluctantly, doggedly fighting, back into a comparatively small space near the river. They had lost many guns, and thousands had been taken prisoners. At this juncture, there was a pause on the part of the assailants, a pause at a moment when a vigorous and determined attack possibly might have driven the Union soldiers in confusion, into the river; but this pause of the rebels, allowed the Union soldiers time to rally, and perhaps saved them from destruction. Colonel Webster, General Grant's Chief of artillery, by his direction, collected the field batteries, and skillfully massed them in a commanding position to receive the assault the rebels were preparing to make.

This artillery, with such infantry as could be gathered, received the expected assault with a terrific and destructive fire. Besides this, as the rebel column advanced, two gunboats raked the rebel column with the tremendous guns they carried. This fire staggered the enemy, and prolonged the contest until night brought relief, and towards evening, the long expected column of Buell began to appear.

Beauregard, at the close of the day's fight, however, announced a complete victory, with the death of General Albert Sydney Johnson. But on the following morning, Grant early assumed the offensive, and the enemy were forced back, until, after fighting until 5 o'clock in the afternoon, they were routed and put to flight.

The first long dreary day of this battle closed with the advantages all with the rebels. Night brought Buell and his gallant army, and the morrow, victory. Here was most strikingly exhibited the stubborn, persistent, resolute character of Grant, which never knew defeat, but which often

brought success out of apparent defeat. The shattered rebel army retreated into their strong works at Corinth.

Sad incidents illustrating the character of civil war occurred on this field.

Two regiments from Kentucky, fighting on opposite sides, met on this bloody field. A Union soldier wounded and captured a rebel soldier—his own brother. Resuming his fire, at a man hiding behind a tree, the wounded prisoner exclaimed, "Don't fire there, Bob, that is Father!"

Into a Union field hospital, was brought a rebel soldier, mortally wounded. He found there, in his attendant, a Union soldier—a brother, detailed as a nurse, and died in his arms. Such is rebellion and civil war!

This battle was fought on the Union side by troops comparatively new. There was a lack of concert and mutual support, but it effectually tested the stamina and manliness of the belligerents. It was a long, terrible, hand to hand, two day's fight; beginning at early dawn, and continuing until night; but when the sun went down on Shiloh on the second day, it went down on an army of fleeing rebels, the arrogance of which had been tamed, and their dream of invincibility, and contempt of Northern soldiers so long instilled into the people of the South, gone forever! From that bloody day, no rebel soldier despised the courage, the persistence, the manliness or the marksmanship of his adversary.

The Union army, when attacked, was not protected in its front by earthworks. It is not too much to say, that one year later in the war, no army of Grant or Sherman could have been found by the enemy in the condition their army was in on the first day of the battle of Shiloh.

Meanwhile, General Halleck, who had, as has been stated, succeeded General Hunter, in command of the West, left St. Louis, and assumed command in the field. On the 22d of April, General Pope, with his division of almost 25,000 men, arrived at Pittsburg Landing from New Madrid. The army of Halleck now consisted of the army of General Grant, forming the right wing, General Buell's the left, and General Pope's the centre. On the 3d of May, this army of General Halleck numbered 108,000 men, and was within

eight miles of Corinth. This place is in the northeast corner of Mississippi, ninety miles east of Memphis, on the Mississippi River, and on the line of the great railroad between Memphis and Charleston, South Carolina, where the Mobile and Ohio Railroad, running north and south, crosses the great east and west line between the Mississippi and the Atlantic

General Grant was given the position of second in command, and General Thomas was assigned to the command of the right wing. The forces of Beauregard had been increased by the concentration of troops from Mississippi and Louisiana, including General Lovell, from near New Orleans.

He had fled from the metropolis of the Southwest previous to its capture by the gallant Farragut and General Butler. By these additions, the Confederate force was largely increased, although it did not equal the army under General Halleck.

General Halleck now proceeded, by gradual advances, to the investment and siege of Corinth. Although he commanded a victorious army, elated and confident from a career of almost uninterrupted success, he took the utmost care to prevent a general engagement. For more than a month, he issued his daily order to crowd up to the enemy, "but to avoid a general engagement." His ardent and eager subordinates, anxious to reach the enemy, begged permission to attack, but were refused. By this course, Corinth was taken, but the rebel army escaped.

On the 30th of May, the heavy batteries of Halleck opened upon Corinth, and the Confederates were driven out. The enemy fled hastily, destroying immense quantities of stores, provisions and materiel of war. The line of fortifications thus abandoned, was fifteen miles long, with batteries commanding every road and assailable point. The Union troops pursued for some distance the retreating rebels, and made some captures, but they had all the territory which they could hold. The failure on the part of Halleck to attack and assault the enemy, enabled Beauregard to escape, and transfer his forces to positions of need at the East.

While the armies of the West had fought all the way from Illinois, down the Valley of the Mississippi, from Cairo to Corinth, capturing Forts Henry and Donelson, New Madrid, Island No. 10, and Nashville; while they had fought the battles of Belmont, Mill Spring, Pea Ridge, and the great battle of Shiloh; had rescued and reclaimed from the enemy Missouri, Kentucky, Tennessee and Northern Arkansas, and were holding points of Mississippi and Alabama, where was the Army of the Potomac and what had it done? Where were its trophies, where the prisoners, guns, forts it had captured, and the States it had subjugated? Is it not now clear, that if General McClellan had been equally active, and had done as much fighting and with equal success as the armies which operated at the West, the rebellion would have been crushed and the Confederate States subjugated in 1862? But General McClellan never adopted the tactics of Grant, of attacking every assailable point of the rebellion at the same time; but he so managed, while in supreme command, that the rebels, being on the inner and shorter line of defense, could transfer their troops from point to point wherever most needed.

The city of New Orleans, at the mouth of the Mississippi, was early the object of the anxious consideration of President Lincoln. Having passed his life in the great Valley of the West—knowing it as one who had in early life, as a flat-boatman, urged his boat over its majestic waters—he had lived to see it, and its thousands of miles of tributary streams, covered with steamers, carrying to tidewater, the vast agricultural products of a delta more productive than that of the Nile. He fully sympathized with the declaration of the gallant Illinois soldier who declared that the hardy Western settler, turning his plough-share into the sword, would "*Hew his way to the sea!*" No place in the Union had been more associated with National pride than the city of New Orleans. The victory of General Jackson at that place had always been justly regarded as one of the most brilliant military achievements on record. This city, over which the lilies of France had floated, was the metropolis of the vast Southwest. By

the treason of Twiggs, it had fallen an unresisting victim into the toils of the traitors. Lincoln early determined to restore this city to the National government.

In the Autumn of 1861, a great expedition, under the command of Captain Farragut and General B. F. Butler, was organized. To Captain Farragut has been assigned, by the common consent of his gallant and able comrades, the first position among the naval heroes of the war. A native of Tennessee, he is a hearty, bluff, honest, downright sailor, who knows no such word as fail. Full of resources, confident in himself and in those he knew how to command, he is one of those men who command success. General Butler's forces landed at Ship Island in December, 1861, and January, 1862.

Captain Farragut sailed with his fleet to attack the forts on the 3d of February. After bombarding Forts St. Philip and Jackson, which guarded the mouth of the Mississippi, for six days without reducing them, with the inspiration of genius, he determined to pass these forts, and sail up the Mississippi. The difficulty, and the apparent temerity of this will appear, when it is recollected that the Forts St. Philip and Jackson mounted 126 guns, many of them of very heavy caliber; that the river was obstructed by sunken hulks and an iron chain of immense strength was stretched across the channel; that he would encounter thirteen gun-boats, in addition to the powerful iron-clad battery Louisiana. The authorities of New Orleans were perfectly confident. "Our only fear," said the city press, "is that the Northern invaders may not appear." If they had known Farragut, they would not have expressed any such apprehension. If they did in fact entertain such fears, he soon relieved them. On the 24th of April, amidst a storm of shot and shell, the night illuminated by the mingled fires of ships, and forts, and burning vessels, he passed Forts Jackson and St. Philip; he crushed through the boom, he destroyed the rams and gun-boats sent down to oppose him, and steaming past the batteries, he ascended the majestic Mississippi, and squared his yards, and opened his broadsides upon the proud city of the Southwest.

The city of 150,000 surrendered, and the stars and stripes once more floated over the Custom-House, Post-Office and other public buildings of the crescent city. The flag never again to be hauled down from that position, for, as it was grimly said by a Confederate General on the fall of Richmond, "it had never been the policy of the rebels to retake the cities and posts captured by the Union forces."

CHAPTER XV.

THE PRESIDENT AND GENERAL McCLELLAN—THE CAMPAIGN AGAINST RICHMOND

THE ARMY OF THE POTOMAC—McCLELLAN'S INACTION—PLAN OF THE CAMPAIGN—THE MONITOR AND THE MERRIMAC—YORKTOWN—WILLIAMSBURG—THE CHICKAHOMINY—THE PRESIDENT URGES ACTION—NORFOLK TAKEN—McDOWELL AT FREDERICKSBURG—STONEWALL JACKSON'S CAMPAIGN DOWN THE VALLEY—BATTLE OF FAIR OAKS—LEE IN COMMAND—MECHANICSVILLE—GAINE'S MILLS, ETC.—TO THE JAMES—MALVERN HILL—HARRISON'S LANDING.

IT will be remembered, that the President, on the 27th of January, 1862, had issued an order that active operations, and a general advance of all the armies should begin on the 22d of February. That order contemplated active movements, and in concert, by all the forces in the field. Lincoln appreciated and anticipated the common-sense views subsequently acted upon by Grant, of attacking the enemy at all points at the same time.

On the 31st of January, he had ordered that all the disposable forces should be organized into an expedition for the immediate object of seizing and occupying a point on the railroad southwest of Manassas Junction.

Early in March, McClellan, with his splendid army, marched on Centerville, to find it evacuated, and wooden guns in position on the works, behind which the rebels had so long remained unassailed. Addressing his vast army at Fairfax Court House, the young general said: "The Army of the Potomac is now a real army. Magnificent in material, admirable in discipline and instruction, excellently equipped and armed, your commanders are all that I could wish." The

last division of the Confederates left Centreville on the 9th of March. On the 10th, McClellan started for the already abandoned position. The army of McClellan was over 100,000 strong, with 350 pieces of artillery. Great dissatisfaction had prevailed throughout the country at the long continued inactivity and tardy movements of this General. President Lincoln was very slow to withdraw his confidence when it had been once given, and was noted for the unflinching fidelity with which he stood by those in whom he trusted. He had long stood by McClellan, and sustained him against a very large majority of the most earnest Union men of the Nation. The Committee on the Conduct of the War, the stern and fiery War Secretary, Mr. Stanton, and many others chafed and struggled during the long Winter of 1862, against McClellan's inactivity. They were not satisfied, and the confidence of the President began to be seriously shaken. It is clear that McClellan was a good organizer. He was an admirable engineer, and he had performed the great work of organizing and drilling a magnificent army—an army equal to any which had ever met an enemy. Could that magnificent army, at the moment it struck its tents around Washington, have been transferred to the command of the impetuous, rapid, indefatigable, elastic Sheridan, or to the brilliant hero of Atlanta and "the grand march," or the imperturbable, unflinching, iron will of Grant, it would have marched into Richmond long before McClellan reached the Chickahominy. It is now but too clear that McClellan lacked the energy, decision and boldness for aggressive movements. It is not clear but that his inactivity was, to some extent attributable to an indisposition to inflict great injury upon the rebels; and it is believed that he indulged the hope of a restoration of the Union by a show of power, rather than by the exercise of it in inflicting hard blows.

Celerity formed no part in the military movements of McClellan. The Prince de Joinville, attached to his staff during his campaign, has made a criticism upon the American character, which was as true of General McClellan, as it was mistaken in regard to the American people. "I here

point out," says he, "a characteristic trait of the American people—delay."

General McClellan and his army were always encumbered with the most enormous quantity of luggage. In the Winter of 1862, members of Congress and others were astonished to see drawn up before the door of the young general, six immense four-horse wagons, marked "Head-quarters of the Army of the Potomac," They knew little of military affairs, but were curious to learn what was the camp equipage which required twenty-four horses to draw, and subsequently, observed the difference, and drew comparisons, when they learned that Grant started on his wonderful campaign against Vicksburg with a clean shirt and a tooth-brush.

During the long Winter of inactivy of 1862, the impatience of Mr. Lincoln at McClellan's inactivity became at times unendurable. On one occasion, he said to one of his military friends, who was also a friend of McClellan, "If General McClellan does not want to *use* the army for some days, I should like *to borrow it*, and see if it cannot be *made to do something*."

The political and personal associations of the General were with those who, in political stations, and in the army, had been most friendly with the South, and some of whom professed to believe that the Union could not be preserved by coercion.

General McClellan had estimated the number of troops necessary to be left to defend the Capital at 35,000, and 23,000 for the Potomac, Baltimore and Annapolis. The President had long before urged upon the General the raising of the blockade of the Potomac, and an early movement on land towards Richmond.

On the 8th of March, the President directed that Washington should be left entirely secure, and that any movement to be made should begin as early as the 18th of March, and that the General-in-Chief should be held responsible that it was as early as that day. It was also ordered that the army and navy coöperate in an *immediate* effort to capture the enemy's batteries upon the Potomac, between Washington and the Chesapeake Bay.

A council of war was held at Fairfax Court House, March 12th, at which it was decided to proceed against Richmond by Fortress Monroe. The President expressed his acquiescence in this plan, although his opinion had been very decidedly in favor of a direct march upon Richmond; this acquiescence, however, was upon the condition "that Washington should be left entirely secure, and the remainder of the force should move down the Potomac to Fortress Monroe, or anywhere between Washington and Fortress Monroe, *or at all events to move at once in pursuit of the enemy by some route.*" Such was the impatient language of the President, inspired by the long delay of the Army of the Potomac. He had directed a division of the Army of the Potomac into four army corps.

On the 9th of March, the heart of the Nation was thrilled by the intelligence of the encounter between the iron-clad *Merrimac*, and the United States vessels of war, lying near Fortress Monroe. The rebels had taken possession of the *Merrimac* at Norfolk, when that post was shamefully abandoned in the Spring of 1861. They had covered her sides with iron armor, and naming her the *Virginia*, she now steamed down the James River, and attacked and destroyed the frigates *Cumberland* and *Congress*. The *Cumberland* was most bravely fought at anchor, until she went down, with her flag still flying, and for days it could be seen marking the spot where was sunk as brave a ship, which was as gallantly fought as ever was vessel commanded by a Nelson or a Perry. The *Minnesota*, in coming to the aid of the *Cumberland* and *Congress*, ran aground, and lay at the mercy of this terrible iron-clad battery. But just at this time, there came up the Bay, a low turtle-like looking nondescript, which was soon announced as the iron-clad *Monitor*, an experiment built by the distinguished engineer, Ericsson. This vessel mounted two 11-inch Dahlgren guns, carrying 168 pound shot. She attacked successfully the iron-clad *Virginia*, and saved the fleet. Whole broadsides were fired upon the little *Monitor*, by her gigantic competitor, with no more effect than a volley of stones. The result of this contest revolutionized naval warfare. The wonderful success of the *Monitor* caused the

construction of those fleets of iron-clads, which, it is believed, render the American navy, for defensive purposes, superior to any in the world.

On the 13th of March, McClellan telegraphed to the Secretary of War, that a council of the commanders of army corps had "unanimously agreed upon a plan of operations" which General McDowell would unfold to him. The impatient Stanton replied characteristically "whatever plan has been agreed upon, *proceed to execute, without losing an hour for my approval.*"

The following is a statement of the plan agreed upon by the commanders at Fairfax Court House, and referred to by General McClellan:

"I. That the enemy having retreated from Manassas to Gordonsville, behind the Rappahannock and Rapidan, it is the opinion of the generals commanding army corps, that the operations to be carried on will be best undertaken from Old Point Comfort, between the York and James rivers; *Provided,*

"1st, That the enemy's vessel *Merrimac* can be neutralized.

"2d, That the means of transportation sufficient for an immediate transfer of the force to its new base can be ready at Washington and Alexandria to move down the Potomac, and

"3d, That a naval auxiliary force can be had to silence, or aid in silencing, the enemy's batteries on the York River.

"4th, That the force to be left to cover Washington shall be such as to give an entire feeling of security for its safety from menace. (Unanimous.)

"II. If the foregoing can not be, the army should then be moved against the enemy, behind the Rappahannock, at the earliest possible moment, and the means for reconstructing bridges, repairing railroads and stocking them with materials, sufficient for supplying the army, should at once be collected for both the Orange and Alexandria and Acquia and Richmond Railroads. (Unanimous.)

"NOTE.—That with the forts on the right bank of the Potomac fully garrisoned, and those on the left bank occupied, a covering force in front of the Virginia line of 25,000 men would suffice. (Keys, Heintzelman and McDowell.) A total of 40,000 men for the defense of the city would suffice." (SUMNER.)

This plan was submitted to Mr. Lincoln, and acquiesced in by him, and the following dispatch sent to the General:

"The President having considered the plan of operations agreed upon by yourself, and the commanders of army corps, makes no objection to the same, but gives the following directions as to its execution:

"1st, Leave such force at Manassas Junction as shall make it entirely certain that the enemy shall not re-possess himself of that position and line of communication.

"2d, Leave Washington entirely secure.

"3d, Move the remainder of the force down the Potomac, choosing a new base at Fortress Monroe, or anywhere between here and there, or at all events, move such remainder of the army at once in pursuit of the enemy by some route."*

The number of troops composing the Army of the Potomac at this time was 158,419.†

General Wadsworth, who was in command of Washington, reported only 20,000 men then fit for duty in his department; and a council of military officers reported this number insufficient for the defense of the Capital.

The Army of the Potomac embarked for Fortress Monroe, and arrived on the 23d of March, and on the 4th of April started up the Peninsula, between the York and the James Rivers, towards Richmond. At Yorktown, the army of McClellan encountered the enemy fortified, with a force comparatively small, not to exceed 11,000, as we now know from official sources, and only 5,000 of these in the lines in front of McClellan.‡ Such a force, a vigorous and determined commander would not have permitted to delay his march; but this handful of men stopped McClellan from the 1st of April to the 4th of May. He sat down before Yorktown as to a regular siege. He planted batteries, and sought by regular approaches, to reduce the position. While here, and preparing for a regular siege, he complained that he had not men enough, and asked for reënforcements! By the time he was ready to open his batteries, the very day his great siege guns were to be opened, the rebels left. They remained

* Report on Conduct of the War, Part I, p. 52.
† Report on Conduct of the War, Part I, p. 315.
‡ See report of Confederate General Magruder, May 3, 1862.

just as long as they could remain with impunity. They knew exactly when he was going to open fire, and left. The policy of the rebels was to delay the Union army as long as possible, to give time for the concentration of their forces at Richmond, and to prepare defenses. The retreating troops made a stand at Williamsburg, where they had strong works.

Here the rebels made a vigorous attack upon the advance of the Union forces, and held them in check; but without waiting for McClellan to come up, or even for orders, Heintzelman and Hooker brought up their troops to the attack, and Hancock getting possession of a portion of the rebel works, they were forced to retreat, leaving their dead and wounded in the hands of the Union army.

The delay at Yorktown was of the utmost importance to the insurgents. Magruder, in his general orders of April 4th, said: "Every hour we hold out, brings us reënforcements." Yet, McClellan, notwithstanding his overwhelming numbers, would not permit an assault. That this delay was very unsatisfactory to the President, appears from a dispatch from him to McClellan, dated April 6th:

"Yours of 11, A. M., to-day, received. The Secretary of War informs me that the forwarding of transportation, ammunition, and Woodbury's brigade, under your orders, is not, and will not be interfered with. You now have over 100,000 troops with you, independent of General Wool's command. I think you had better break the enemy's line from Yorktown to Warwick River *at once*. They will probably use time as advantageously as you can."*

The dispatches of President Lincoln to the various military commanders exhibit great sagacity and natural military skill and judgment.

The delay at Yorktown, though not necessarily fatal to McClellan's campaign, rendered success more difficult. Jefferson Davis was rapidly concentrating forces at Richmond. McClellan was constantly complaining, and asking for reënforcements. Finally on the 9th of April, the President wrote to him the following frank, kind and ingenuous letter:

* Report of the Committee on the Conduct of the War, p. 319–20.

"Your dispatches, complaining that you are not properly sustained, while they do not offend me, do pain me very much.

"Blenker's division was withdrawn from you before you left here, and you know the pressure under which I did it, and, as I thought, acquiesced in it—certainly not without reluctance. After you left, I ascertained that less than twenty thousand unorganized men, without a single field battery, were all you designed to be left for the defense of Washington and Manassas Junction, and part of this even, was to go to General Hooker's old position. General Bank's corps, once designed for Manassas Junction, was diverted and tied up on the line of Winchester and Strasburg, and could not leave it, without again exposing the Upper Potomac, and the Baltimore and Ohio Railroad. This presented, or would present, when Sumner and McDowell should be gone, a great temptation to the enemy to turn back from the Rappahannock, and sack Washington. My implicit order that Washington should, by the judgment of all the Commanders of army corps, be left entirely secure, had been neglected. It was precisely this that drove me to detain McDowell.

"I do not forget that I was satisfied with your arrangement to leave Banks at Manassas Junction; but when that arrangement was broken up, and nothing was substituted for it, of course I was constrained to to substitute something for it myself. And allow me to ask, do you really think I should permit the line from Richmond, *via* Manassas Junction to this city to be entirely open, except what resistance could be presented by less than twenty thousand unorganized troops? This is a question which the country will not allow me to evade.

"There is a curious mystery about the number of troops now with you. When I telegraphed you on the 6th, saying you had over a hundred thousand men with you, I had just obtained from the Secretary of War, a statement taken, as he said, from your own returns, making one hundred and eight thousand then with you and *en route* to you. You now say, you will have but eighty-five thousand, when all *en route* to you shall have reached you. How can the discrepancy of twenty-three thousand be accounted for?

"As to General Wool's command, I understand it is doing for you precisely what a like number of your own would have to do, if that command was away.

"I suppose the whole force which has gone forward to you, is with you by this time; and if so, I think it is the precise time for you to strike a blow. By delay, the enemy will relatively gain upon you—that

is, he will gain faster by fortifications and reënforcements than you can by reënforcements alone. And once more, let me tell you, it is indispensable to you that you strike a blow. I am powerless to help this. You will do me the justice to remember, I always insisted that going down the bay in search of a field, instead of fighting at or near Manassas, was only shifting and not surmounting a difficulty; that we would find the same enemy, and the same, or equal intrenchments at either place. The country will not fail to note — is now noting, that the present hesitation to move upon an intrenched enemy, is but the story of Manassas repeated.

"I beg to assure you, that I have never written you, or spoken to you, in greater kindness of feeling than now, nor with a fuller purpose to sustain you, so far as, in my most anxious judgment I consistently can. *But you must act.*

"Yours, very truly,

"ABRAHAM LINCOLN."*

Meanwhile, General Franklin's division had, at the special request of General McClellan, on the 10th of April, been sent to him, and on the 30th of April, General McClellan's force amounted to 130,378, of which 112,392, were effective.†

On the last of April, there came from McClellan, while still before Yorktown, a call for Parrott Guns, to which the President, whose patience and proverbial good nature and indulgence were well nigh exhausted, said, on the first of May, "Your call for Parrott guns from Washington, alarms me — chiefly because it argues indefinite procrastination. Is anything to be done?" ‡

On the 7th, President Lincoln arrived at Fortress Monroe, and urged a movement on Norfolk, which was successfully made. The celebrated Merrimac was now abandoned by the rebels, and blown up; all the forts and fortifications defending York river, were also abandoned. The blockade of the James was raised as far as Drury's Bluff, and an immense amount of heavy ordnance and ammunition fell into the hands of the National forces. These works and this material

* Report on the Conduct of the War, Part 1, p. 321-2.
† Report of the Committee on the Conduct of the War, p. 18, army of the Potomac
‡ Report on the Conduct of the War, p. 18 and 19.

were abandoned by the Confederates to enable them to concentrate all their forces for the defense of Richmond. The troops in and about Norfolk, nearly 18,000 in number, under General Huger, were hurried to the defense of the rebel Capital. While the President and Secretary of War were at Fortress Monroe, they received a note from General McClellan, dated May 9th, asking permission to reorganize the army corps, and for authority to relieve incompetent commanders of army corps, and complaining of his Generals. To this Secretary Stanton replied, "You may temporarily suspend that organization in the army now under your immediate command, and adopt any you see fit, until further orders." The President, on the same day wrote the following kind and friendly letter to General McClellan:

"I have just assisted the Secretary of War in framing the part of a dispatch to you relating to army corps, which dispatch, of course, will have reached you long before this will. I wish to say a few words to you privately on this subject. I ordered the army corps organization, not only on the unanimous opinion of the twelve Generals whom you had selected and assigned as Generals of divisions, but also on the unanimous opinion of every *military* man I could get an opinion from, yourself only excepted, and every modern military book. Of course, I did not, on my own judgment, pretend to understand the subject. I now think it indispensable for you to know how your struggle against it, is received in quarters which we cannot entirely disregard. It is looked upon as merely an effort to pamper one or two pets, and to persecute and degrade their supposed rivals. I have had no word from Sumner, Heintzelman, or Keyes—the Commanders of these corps are, of course, the three highest officers with you; but I am constantly told that you have no consultation or communication with them; that you consult and communicate with nobody but General Fitz John Porter, and perhaps General Franklin. I do not say these complaints are true or just; but at all events, it is proper you should know of their existence. Do the Commanders of corps disobey your orders in anything?

"When you relieved General Hamilton of his command the other day, you thereby lost the confidence of at least, one of your best friends in the Senate. And here let me say, not as applicable to you personally, that Senators and Representatives speak of *me* in their places as they please, without question, and that officers of the army must cease

addressing insulting letters to them for taking no greater liberty with *them.*

"But to return. Are you strong enough—are you strong enough even with my help—to set your foot upon the necks of Sumner, Heintzelman, and Keyes, all at once? This is a practical, and very serious question to you.

"The success of your army, and the cause of the country are the same, and of course, I only desire the good of the cause."

The allusion to insulting letters addressed to Senators by officers, was called forth by the fact, that officers, under McClellan, had written insulting and threatening letters to Senators, who had, in their places, criticised the General and his army movements. Mr. Lincoln always bore such attacks upon himself with dignity and forbearance.

On the 17th of May, General McDowell was ordered, on being joined by General Shields' division, while he continued to cover Washington, to move upon Richmond by the general route of the Fredericksburg and Richmond railroad, and to coöperate with the forces under General McClellan; to establish communication between his left and McClellan's right, who was then threatening the rebel Capital, from the line of the Pamunky and York rivers.

There were then three bodies of Union troops in Virginia, North of McClellan's. McDowell's at Fredericksburg, Fremont's in the Mountains, and Banks' at Strasburg. Had these forces been under one able, sagacious chief, their union and coöperation would have made them irresistible against any force which could have been sent against them. They unfortunately were under different heads, and each received orders from the Secretary of War. The daring and active Stonewall Jackson was dispatched up the valley of the Shenandoah, to prevent McDowell from uniting with McClellan, to create, if possible, a panic at Washington, and prevent all reinforcements being forwarded to McClellan. Stonewall Jackson, in a series of brilliant movements, more than accomplished his purpose. First, he attacked Banks, and drove him, fighting desperately, back to Winchester, and thence across the Potomac. This, and the retreat of some troops on the Manassas Gap Railroad, did create a panic at Washington. Secretary Stanton

telegraphed on the 26th of May to the Governors of Northern States, in language indicating apprehension. To the Governor of Massachusetts, he said, "intelligence from various quarters, leaves no doubt that the enemy, in great force, are marching on Washington. You will please organize and forward all the militia and volunteer force in your State." To other Governors of loyal States, he sent urgent messages for troops. Stimulated by the telegrams of the War Secretary, the Governors of Massachusetts, New York, Pennsylvania, Rhode Island, Ohio, and other States, issued stirring appeals for volunteers, to which there was then, as at all times, a ready response by the people.

Thus far, the movements of Jackson had been successful, beyond his expectations. He had caused orders to be issued to McDowell, countermanding his advance on Richmond, and junction with McClellan. He had driven Banks across the Potomac, and created such apprehension at Washington, as effectually prevented reinforcements being sent to the army before Richmond. He had obtained a considerable amount of military stores and supplies.

Could he now make good his escape? There were abundant troops to overwhelm and crush him, if they could be concentrated, and catch him. Fremont, the far famed "Pathfinder" of the Rocky Mountains, was coming down upon him from the North. The troops of McDowell were seeking to strike him in the left flank, and still another small force was in his front, to destroy the bridges over which alone, he must escape. The nimble footed Jackson knew his danger, he knew the country, and besides, there was little or no concert among his assailants.

Jackson passed through Strasburg on the 1st of June, just in time to escape Fremont on one side, and the force of McDowell on the other. The columns of their two pursuing armies met, but Jackson had got through. He still retreated, fighting and burning bridges after him until he reached a strong position at Cross Keys; here he halted and turned at bay. Here he fought Fremont on the 8th of June. In the meantime, Colonel Carroll and General Tyler, had been

ordered to strike the line of Jackson's retreat, destroy his train which was in advance, and burn the bridges over which he must pass. They came up in time, but failed to destroy the bridges, and Jackson escaped. The failure to capture and destroy Jackson, was caused by want of coöperation and concert. This brilliant campaign of Jackson was of immense importance to the Confederates, and possibly saved Richmond. One can scarcely fail to contrast the ineffectual movements against him with the brilliant campaign of Sheridan against Early, in 1864. But Sheridan did not have Stonewall Jackson to contend with.

Returning to the army of the Potomac, in the neighborhood of Richmond, we find it on the 15th of May, concentrating at the White House, the point where the railroad from West Point, on York river, to Richmond, crosses the Pamunky.

On the 25th of May, Mr. Lincoln telegraphed to McClellan: "I think the time is near when you must either attack Richmond, or give up the job and come to the defence of Washington."*

On the 26th of May, a portion of the corps of General Keyes, was ordered across the Chickahominy, and was followed by the corps of Heintzelman. The corps of Sumner, Porter, and Franklin, remained on the left bank, without the means of crossing. The vigilant rebel commander saw the blunder, and instantly profited by it. The Union troops were attacked in force by the rebels, with the hope of cutting them off before they could be supported by the army on the other side of the river. Although Casey's division was driven back in some disorder, yet being supported by Heintzelman, they held the rebels in check until General Sumner succeeded in crossing and attacking the rebels vigorously in flank, which stopped their advance, and a gallant bayonet charge, led by the aged but stout and resolute Sumner in person, drove them back beyond Fair Oaks station. Sumner saved the day. Had the remaining troops been brought over, a great victory would have been secured. If, instead of Sumner's fifteen thousand, fifty thousand had been thrown across, the result

* Report on the Conduct of the War, Part I, p. 330.

might have been a decisive victory. If fifteen thousand repulsed the enemy, fifty thousand would probably have secured Richmond. Indeed, the Prince de Joinville, on the personal staff of General McClellan said, "It was not until 7 P. M., that the idea of securing all the bridges without delay, and causing the whole army to cross at day-break to the right bank of the Chickahominy, was entertained. It was now too late; four hours had been lost, and the opportunity, that moment so fleeting in war as in other circumstances, had gone."

It was on this field that Prince de Joinville, admiring a bed of beautiful Virginia roses, and plucking one, recoiled with his hand covered with blood; beneath the fragrant flowers had crept a wounded soldier, seeking their slight shelter from the burning sun, to bleed and die!

The river rose during the night and following day, and swept away the bridges. This left the troops of Sumner, Heintzelman, and Keys, on one side, and those of Porter and Franklin, on the other. The next day, the rebels renewed the attack, throwing upon that portion of the Union army all their then available force; but after a severe battle, were repulsed with great slaughter and driven back upon Richmond, to which they fled, carrying consternation. It was expected naturally, that the victorious troops would follow up their success, and attack the rebel Capital.

One half of the Union army had beaten the rebels. Jackson was returning from the Valley from which, as we have stated, he had escaped from all the efforts of Fremont and McDowell, to close in upon him. General McClellan had remained on the left bank of the Chickahominy. On the next day, June 2d, General Heintzelman sent a reconnoitering party under Hooker, within four miles of Richmond, and met no enemy; but though informed of this fact, McClellan ordered the force to fall back to its old position. Then followed weeks of inactivity on the part of McClellan.

Beauregard and Bragg had evacuated Corinth with a large force, and their soldiers, it was known as many of them as could be spared, would fly to the defense of Richmond. Mr. Lincoln, conscious of all this, telegraphs to

McClellan, "the time is near when you must attack Richmond, or give up the job." But there was no attack. On the 5th of June, McClellan calls for more troops. Five new regiments, and McCall's division of McDowell's corps are sent to him. And yet, on the 12th of June, induced by a simple request from McDowell that McCall's division, which had been detached from his corps, might be so placed as to be in a position to join his other forces as they came down from Fredericksburg, McClellan said to the President, "If I cannot fully control all his (McDowell's) troops, I want none of them, but would prefer to fight the battle with what I have, and let others be responsible for the result." Such was the querulous impatience, and ill temper of McClellan, when the President was doing his utmost to send him troops. On the 11th, he says, he has information that Beauregard had arrived, and that troops were to follow him.

General Johnston, of the rebel army, having been wounded at Fair Oaks, General Robert E. Lee, after having acted for sometime as Chief of staff to Jefferson Davis, was assigned to the command. Meantime McClellan telegraphs to the President and Secretary of War, of rain, of bad roads, of mud — but of no advance. On the 21st of June, from his camp on the Chickahominy, General McClellan again telegraphs to President Lincoln, that he should like to have permission "*by letter or telegraph, to lay before your Excellency my views as to the present state of military affairs throughout the whole country.*" Lincoln replies with much good nature, and a little irony, "If it would not divert too much of your time and attention from the army under your immediate command, I should be glad to hear your views on the present state of military affairs throughout the whole country." For nearly a month, General McClellan had been talking of a great battle, but he made no advance, always waiting to be attacked. He had divided his army, it being separated by the Chickahominy.

It was at this time that the rebel General committed the blunder of uncovering Richmond in such a way, that had General McClellan had the boldness to have struck directly for that city, he would have found it an easy con-

quest. Jackson was returning from the North with his victorious forces, and Lee supposed McClellan was with his main army North of the Chickahominy. The rebel Generals A. P. Hill, D. H. Hill, and Longstreet, were ordered with between thirty and forty thousand men, to cross the Chickahominy above the right of the Union lines, and form a junction with Jackson. This left between McClellan's army and Richmond, only Huger's and Magruder's divisions, and some detached troops, numbering in all not more than twenty-five thousand men. Lee's army, after crossing the river, was in a position that it could not again unite; and if McClellan with his whole force had marched upon Richmond, he would have crushed Huger and Magruder before the forces sent across could have come to their rescue.*

General McClellan seemed to believe that Jackson was in strong force at Gordonsville, but about the 25th of June he became convinced that this enterprising leader was about to assail him. Jackson had been gathering a force with which to attack McClellan's right and centre. Why, when Jackson was far away in pursuit of Banks, before reinforcements had arrived at Richmond, did not McClellan attack? Why wait until Jackson returned and attacked him?

The President, on the 26th of June, in reply to a complaining telegram from McClellan, in which that General sought in advance to throw the responsibility of apprehended defeat on others, said: †

"Your three despatches of yesterday in relation to the affair, ending with the statement that you completely succeeded in making your point, are very gratifying.

"The later one of 6.15 P. M., suggesting the probability of your being overwhelmed by two hundred thousand, and talking of where the responsibility will belong, pains me very much. I give you all I can, and act on the presumption that you will do the best you can with what you have, while you continue, ungenerously I think, to assume, that I could give you more if I would. I have omitted, and shall omit no opportunity to send you reënforcements, whenever I possibly can.

* Swinton, in his "Army of the Potomac," the apologist for McClellan, while he admits that this movement ought to have been made, says it was too bold for that General.

† Report on the Conduct of the War, p. 338-9.

"P. S. General Pope thinks if you fall back, it would be much better toward York River, than toward the James. As Pope now has charge of the Capital, please confer with him through the telegraph."

"A. LINCOLN."

The Hills, and Longstreet, marched out of Richmond to coöperate with Jackson, and McCall was vigorously attacked at Mechanicsville. The position of McCall was a strong one, with a deep creek in the Union front. Hill not waiting for a junction with Jackson, attacked with great vigor, and was defeated with severe loss.

It seems that McClellan before this attack, had been anticipating a retreat, for he says in his report, that "more than a week previous," that is on the 18th, he had prepared for a retreat to the James, and sent supplies to that river. The attack at Mechanicsville, clearly indicated the purpose of Lee to crush the right of the army of the Potomac. It has been suggested by able military critics, that the leader of that army might have adopted with success either of two expedients; he might have brought over his left wing, and thus strengthened his right and secured a victory; or he might have withdrawn his right across the Chickahominy. He did not, however, attempt a concentration of his army, but left his right, consisting of about thirty thousand, to withstand the whole rebel force, and to fight the bloody battle of Cold Harbor, or Gaines' Mill, on the 27th of June, when Porter's command, after maintaining its position for a long day, and repeatedly repulsing and driving back the enemy, was finally, as night approached, driven back by superior numbers and fresh troops. But what threatened to be a rout was prevented by the gallantry of Meagher's and French's brigades, which came up at evening and checked the rebel advance. While the forces of Porter, weary and exhausted with the long struggle, were giving way, and pressed with numbers, the retreat was likely soon to become a rout, a shout announced the presence of the gallant Irishman, and his fighting brigade, the General leading in his shirt sleeves. They came on with a rush, and the fugitives stopped and reformed; the rebels were checked and driven back. The presence of these troops two hours, or one hour earlier,

might perhaps have given Porter a victory. As it was he had inflicted greater loss on the rebels than he received. Union loss was 4,000, rebel 9,500.

On the evening of that day, McClellan announced to his corps commanders, his intention to retreat to James river. It was no longer a question of taking Richmond, but of saving his own army as he thought. While on this retreat, and while his gallant army was struggling across the White Oak swamp, McClellan telegraphed to the Secretary of War, "If I save this army, I tell you plainly, I owe no thanks to you, nor to any one at Washington. *You have done your best to destroy this army.*"

Such a message, so insolent and false, so mutinous and insubordinate, would, if addressed to any other Government than that of which the forbearing Lincoln was the head, have insured his arrest and trial.

But Mr. Lincoln, with a forbearance which many thought had long "ceased to be a virtue," sent the following reply:*

"Save your army at all events. Will send reënforcements as fast as we can. Of course they cannot reach you to-day, to-morrow, or next day. I have not said you were ungenerous for saying you needed reënforcemonts. I thought you were ungenerous in assuming that I did not send them as fast as I could. I feel any misfortune to you and your army quite as keenly as you feel it yourself. If you have had a drawn battle or a repulse, it is the price we pay for the enemy not being in Washington. We protected Washington, and the enemy concentrated on you. Had we stripped Washington, he would have been upon us before the troops sent could have got to you. Less than a week ago, you notified us that reënforcements were leaving Richmond to come in front of us. It is the nature of the case, and neither you nor the Government is to blame. Please tell at once the present condition or aspect of things."

The great army, with its spirit unbroken, retreated doggedly—at times turning at bay, and repulsing the attacking columns of the rebels.

Lee had indeed been victorious, but at a heavy loss. Up to the retreat of McClellan, the rebels' loss, in killed and wounded, exceeded 10,000, while the Union loss did not

*Report on Conduct of War, Part I, p. 340.

nearly reach that number. He had destroyed McClellan's communications with York River, but Lee was now, on the evening of the retreat of the Union army, in a position which, if known to McClellan, and he had possessed the vigor and enterprise necessary for the required movement, would have made the capture of Richmond morally certain. Two-thirds of Lee's army was north of the Chickahominy, and McClellan's army was between it and Richmond. Had McClellan with his whole army struck at Richmond, it could not have resisted for a day. Magruder, who was in command of the forces left at Richmond, says:

"I considered the situation of our army as extremely critical and perilous. The larger portion was on the other side of the Chickahominy. The bridges were destroyed. * * * There were but 25,000 men between his (McClellan's) army of 100,000 and Richmond. Had McClellan massed his whole force in column and advanced against any point of our line, its momentum would have insured success and the occupation of our works."

But retreat was ordered, and the army was fighting its way to the James under Sumner. On the 29th, the rear guard, under the brave Sumner, repulsed a rebel attack in the bloody battle of Savage Station, and on the 30th, at Glendale. The stubborn heroism of the army, under Heintzelman, Hooker, Kearney and Porter, repelled the enemy whenever it turned at bay, and continually suggests the inquiry, that with such an army, why retreat at all? Fighting and marching for seven weary days and nights; stifled with dust, faint with hunger and thirst and heat, yet never turning its face to the foe without driving him back; alas, how much less of suffering and of death, if that proud and gallant army had been led directly and boldly upon Richmond!

On the 30th of June, Heintzelman met a large force of the rebels, under command of Hill. They were again repulsed with terrible slaughter, and General Lee sent all his disposable troops to reënforce Hill. They were driven back, and the Union force following up their success, raised the cry of "On to Richmond!" A rebel officer describing the

scene which followed, says, "everything seemed lost. Regiments and brigades broke and fled; batteries dashed to the rear in headlong flight."

Orders were given to Jackson to cover the retreat, and directions were sent to Richmond to get the public property ready for removal. But this success was not followed up, and the Union army resumed its march towards the James.

The troops reached the vicinity of James River on the 1st of July, and were massed on Malvern Hill. Here was high, open table land, a mile and a-half long by three-quarters of a mile wide, crossed by several roads. Porter's corps held the left, Heintzelman and Sumner the center, and Keys the right. The left flank was protected by the gun-boats on James River. Here, after their terrible march through the White Oak Swamp, the gallant Army of the Potomac, with spirit yet unbroken, and with the ability yet to conquer, prepared to meet the whole rebel force. As the weary troops lay down to rest that night upon Malvern Hill, after five days of incessant fighting and marching, they knew the strength of their position and felt the ability yet to go into Richmond. They looked for the morning to wipe out the mortification of their retreat. With the morning came most fierce and persistent attacks upon this position; charge after charge was repulsed. The whole field was strewn with rebel dead and wounded. After being brought up again and again to the assault, and as often driven back with fearful slaughter, the rebels retired.

The next morning, the rebel army was in no condition to withstand an attack. General Trimble, of the rebel army, says: "at dawn the next morning I found the whole army in the utmost disorder." An attack by the unbroken Union forces would inevitably have defeated it; but when the rebel army awoke, and looked up that hill from which they had been so often repulsed, the grim batteries and gleaming muskets and glorious banners had disappeared. The Union general had retreated from victory which seemed to invite his approach. McClellan had turned his back on victory and Richmond.

Many high-spirited officers like Kearney, and gallant soldiers, begged permission to follow the discomfited Confederates into Richmond. McClellan, so far from following up this success, retired to Harrison's Landing, and thus ingloriously closed the Peninsular Campaign.

The faults of this campaign have been settled by the judgment of the brave officers and soldiers who took part in it, and have ceased to be the subject of partisan controversy. No troops ever fought better than the Army of the Potomac. No troops were ever worse handled by a commanding general.

The fatal errors of McClellan were—*First*, A month unnecessarily wasted at Yorktown. *Second*, A tardy pursuit after the success at Williamsburg, in a battle fought without his knowledge and against his wishes. *Third*, Long delay and hesitation at the Chickahominy—failure to strike when Jackson was away, and before reënforcements arrived. And yet, in spite of these faults, victory, and the capture of Richmond, was often within the reach of a bold, decided movement, and especially at Fair Oaks, and at Malvern Hill. Indeed the seven days' battles show that the rebels could not, at any time, have withstood a vigorous and persistent attack by the entire Army of the Potomac. The Union loss in the campaign was 15,249; the rebel loss, 19,000.

At Harrison's Landing, McClellan encamped, and began calling for reenforcements. He wanted 50,000 men; on the 3d of July, "100,000 men, rather more, than less." To these calls, the President patiently replied:

"I understand your position as stated in your letter, and by General Marcy. To reenforce you so as to enable you to resume the offensive within a month or even six weeks, is impossible. In addition to that arrived and now arriving from the Potomac (about 10,000 men, I suppose,) and about 10,000 I hope you will have from Burnside very soon, and about 5,000 from Hunter a little later, I do not see how I can send you another man within a month. Under these circumstances, the defensive, for the present, must be your only care. Save the army first, where you are, if you *can;* and secondly, by removal, if you must. You, on the ground, must be the judge as to which you will attempt, and of the means for effecting it. I but give it as my opinion, that

with the aid of the gun-boats and the reënforcements mentioned above, you can hold your present position; provided, and so long as you can keep the James River open below you. If you are not tolerably confident you can keep the James River open, you had better remove as soon as possible. I do not remember that you have expressed any apprehension as to the danger of having your communication cut on the river below you, yet I do not suppose it can have escaped your attention.

"A. LINCOLN."

"P. S.—If at any time you feel able to take the offensive, you are not restrained from doing so."*

The postscript must have been read with a grim smile by those war-worn veterans, Sumner, Kearney, Heintzelman and others. Lincoln's keen sense of the ridiculous could not have overlooked the irony of the words—"If at any time you feel able to take the offensive, you are *not restrained from doing so.*"

This whole campaign illustrates Lincoln's patience, forbearance, fidelity to, and kindness for, McClellan. His misfortunes, disastrous as they were to the country, did not induce the President to abandon him. Indeed it was a very difficult and painful thing for him ever to give up a person in misfortune, even when those misfortunes resulted from a man's own misconduct.

* Raymond's life and State papers of Lincoln, p. 295-6.

CHAPTER XVI.

MILITARY OPERATIONS TO THE CLOSE OF 1862—POPE—McCLELLAN—BURNSIDE.

GENERAL POPE ASSUMES COMMAND OF THE ARMY OF VIRGINIA—HIS ADDRESS—LEE ATTEMPTS TO OVERWHELM HIM—McCLELLAN ORDERED TO JOIN POPE—HIS DELAY—ORDERED TO HASTEN—HE LINGERS—POPE OVERWHELMED BY NUMBERS AND DRIVEN BACK TO WASHINGTON—IS RELIEVED—McCLELLAN AGAIN IN COMMAND—LEE CROSSES INTO MARYLAND—McCLELLAN PURSUES—BATTLES OF SOUTH MOUNTAIN—ANTIETAM—PRESIDENT VISITS THE ARMY—URGES McCLELLAN TO ATTACK—McCLELLAN DELAYS—HE IS RELIEVED OF COMMAND—FAILURE—BURNSIDE—FREDERICKSBURG—MOVEMENTS IN THE WEST—BATTLE OF PERRYVILLE—CORINTH—VICKSBURG—STONE RIVER.

AT this period, while at Harrison's Landing, Major General McClellan found time to write and dispatch to President Lincoln, a long letter of advice upon the general conduct of the administration, civil and military.

The President seemed to think there was plenty of practical work for the General to do in his own camp, and on the 8th of July he visited the camp on the James. He found there an army of 86,000 effective men. The great discrepancy between the sum of losses of the army of the Potomac, and its present and aggregate number, was accounted for by the statement of McClellan on the 13th of July, that 38,000 were absent on leave by authority!

The successes at the West, as contrasted with the failures at the East, failures attributable not to a difference in the soldiers themselves, but to a difference in leadership, suggested whether by transferring to the East some of those successful

Western Generals, better results might not follow the unsurpassed fighting of the army of the Potomac. Halleck, on the 11th of July, had been called to the position of General-in-Chief, and returning to Washington, entered upon his duties on the 23d of July.

General John Pope, the son of Judge Nathaniel Pope, District Judge of Illinois in whose courts President Lincoln had long practiced law, was one of the most brilliant and rising young officers of the West. He had evinced great generalship at Island No. 10, and at New Madrid. Mr. Lincoln of course knew Pope well, and rejoiced in his fame, and he was also a favorite of General Halleck. He was called to Washington, and arrived about the 20th of June.

The President having seen the disastrous consequences of having too many generals, and the lack of unity of purpose and of concert between the forces of Banks, Fremont and McDowell, resolved to consolidate the Departments of the Shenandoah, the Mountain Department of Fremont, and the Department of the Rappahannock; and in pursuance of this determination, on the 27th of June, he issued an order creating the Army of Virginia, under command of General Pope; the army of General Fremont, to constitute the First Army Corps, the army of General Banks the Second, and that of General McDowell the Third. Thereupon General Fremont asked to be relieved, on the ground, that as General Pope was his junior in rank, he could not consistently with his honor serve under him, and his request was granted.

On the 14th of July General Pope assumed command and issued an address to his army. In this address he said:

"I have come to you from the West, where we have always seen the backs of our enemies—from an army whose business it has been to seek an adversary, and beat him when found; whose policy has been attack and not defense. In but one instance has the enemy been able to place our Western armies in a defensive attitude. I presume I have been called here to pursue the same system, and to lead you against the enemy. It is my purpose to do so, and that speedily. I am sure you long for an opportunity to win the distinction you are capable of achieving; that opportunity I shall endeavor to give you. In the meantime I desire you to dismiss certain phrases I am sorry to find much in vogue amongst you.

"I hear constantly of taking strong positions and holding them — of lines of retreat and bases of supplies. Let us discard such ideas. The strongest position a soldier should desire to occupy is one from which he can most easily advance against the enemy. Let us study the probable line of retreat of our opponents, and leave our own to take care of itself. Let us look before us and not behind. Success and glory are in the advance — disaster and shame lurk in the rear. Let us act on this understanding, and it is safe to predict that your banners shall be inscribed with many a glorious deed, and that your names will be dear to your countrymen forever."

This address was spirited and full of the ardor of a young, successful and sanguine soldier, but indiscreet—very; and when we remember that it was issued on his assuming command of the troops whose leaders he thus publicly reproached, was as bad in taste as it was mistaken in policy. While it gave indications of a more vigorous policy, which was exceedingly gratifying to the people, it was calculated to create, and did create, an intense feeling against him among the officers of the army of the Potomac, and to some extent of the army of Virginia. It intensified the feeling, which finally resulted in the offense by McClellan and Fitz John Porter, and some of their subordinates, of permitting Pope to be sacrificed without rendering him effective aid.

The failure of the Peninsula campaign did not in the least dishearten the courage of the North, nor shake the firm determination of the people to crush the rebellion. The Governors of seventeen States on the 28th of June, united in an address to the President, announcing the readiness of the people of their respective States to respond to a call for more troops, and their wish for the most prompt and vigorous measures. The President immediately issued a call for 300,000 additional soldiers. Pope desired, if McClellan was compelled to retreat, that it should be towards the North, that he might directly coöperate with him. He had but about 38,000 men; with these, he was to defend Washington, hold the Valley of the Shenandoah, and repel the expected approach of Lee. He felt the inadequacy of his force, and asked to be relieved, unwilling to risk his reputation against the fearful odds he perceived he was to encounter; and being early made conscious that he could not have the hearty coöperation of McClellan and

his friends. The authorities declined to relieve him, and he set out to do the best he could with the force at his command.

What was to be done with the army of the Potomac? It had been visited by the President, and was visited by General Halleck. General Burnside had brought his successful force to Fortress Monroe, ready to coöperate with McClellan. It was determined after careful consideration to withdraw the army of the Potomac from the James, and concentrate it with the command of General Pope. It is not my purpose to follow in detail the movements, skirmishes, and battles of General Pope. By cavalry raids he undertook to destroy the railroads towards Richmond, and to hold the fords of the Rapidan and other streams, that the approaching army under Jackson and Lee must cross. He was vigilant and active, and did as much with the force under his command as could be done. On the 14th of August he was reenforced by General Reno's division of General Burnside's command. On the 16th, General Pope captured a letter from General Lee, to General Stuart, showing that the purpose of Lee was to mass an overwhelming force in his front, and crush him before he could be reënforced by the army of the Potomac. Knowing by the tardy movements of McClellan that he would receive no immediate aid from him, Pope retired on the night of the 18th, behind the Rappahannock. The presence of the army of the Potomac was now essential, and its absence made Pope's position critical. Why was it not at hand?

On the 30th of July, McClellan had been ordered to send away his sick and wounded to clear his hospitals preparatory to moving. This order was repeated on the 2d of August. On the 3d of August, he was directed to take immediate measures for withdrawing his army to Acquia Creek; against this he remonstrated, and delayed, until on the 6th he was advised that "the order will not be rescinded," and it was emphatically said to him, "you will be expected to obey it with all *possible promptness*."

Previous to the 4th of August, he had been ordered to prepare for a prompt withdrawal to Acquia Creek — a stream which empties into the Potomac, within supporting distance to Pope. On the 6th, he was ordered to send a regiment of

cavalry and several batteries of artillery to Burnside, at Acquia. Instead of promptly obeying, he sent reasons for delay, and said he would "obey as soon as circumstances would permit." On the 9th, General Halleck telegraphed as follows:

"I am of the opinion that the enemy is massing his forces in front of Generals Pope and Burnside, and that he expects to crush them, and move forward to the Potomac.

"You must send reënforcements *instantly* to Acquia Creek.

"Considering the amount of transportation at your disposal, your delay is not satisfactory. You must move with all *possible celerity*."

This was August 9th, and yet reënforcements did not leave Fortress Monroe for Acquia, until the 23d of August! On the 10th, a week after the order was first given, Halleck again telegraphed:

"The enemy is crossing the Rapidan in large force. They are fighting General Pope to-day. There *must be no further delay* in your movements. That which has already occurred was entirely unexpected, and must be satisfactorily explained."

Pope was gallantly fighting against an overwhelming force. Lee was massing troops to crush him and reach Washington, and yet McClellan did not move. On the 12th of August, General Halleck telegraphed:

"The Quartermaster General informs me that nearly every available steam vessel in the country is now under your control. Burnside moved nearly 13,000 troops to Acquia Creek in less than two days, and his transports were immediately sent back to you. All the vessels in the James River and the Chesapeake Bay were placed at your disposal, and it was supposed that eight or ten thousand of your men could be transported daily. There has been and is the most urgent necessity for dispatch, and not a single moment must be lost in getting additional troops in front of Washington."

On the 21st, Halleck again telegraphed to McClellan at Fortress Monroe:

"The forces of Burnside and Pope are hard pushed and require aid as rapidly as you can send it. Come yourself as soon as you can. By all means see that the troops sent have plenty of ammunition, etc."

On the evening of August 23d, the reluctant and tardy McClellan, at last sailed from Fortress Monroe, arriving at Acquia Creek on the morning of the 24th, and at Alexandria on the 27th of August!

Meanwhile, Pope had not sufficient force to hold the fords and banks of the Rappahannock. His line was so extended that it was necessarily very weak. He called for reënforcements which should have been with him long before from the army of the Potomac; but McClellan and his army had lingered on the James. The Commander of the army of the Potomac had received the order to move his sick and wounded on the 1st of August. On the 3d, he was ordered to prepare to move his army; but it was not until the 23d that his troops began to leave Fortress Monroe, and he did not reach Alexandria in person until the 27th of August. It is scarcely possible for a candid mind to read the correspondence between the President and General Halleck on the one side, and General McClellan on the other, from the time of the President's visit to Harrison's Landing, until McClellan arrived at Alexandria, without coming to the conclusion that it was the deliberate purpose of McClellan so to delay his movements that Pope should be left to his fate. It is clear that he did not obey orders, and that Pope's defeat was the result.

On the 10th, General Halleck informed McClellan that "the enemy are crossing the Rapidan. They are fighting General Pope to-day. Let not a moment's time be lost." When McClellan reached Acquia on the 24th, Pope, who had been defending the line of the Rappahannock for nearly a week against the whole rebel army, found that Lee was turning his right, and his rear and communications were threatened, and thus he was compelled to fall back from the Rappahannock. On the 27th of August as we have seen, General McClellan himself arrived at Alexandria, and was immediately ordered "to take entire direction of the sending out of troops from Alexandria." Those which arrived before McClellan, under the leadership of Heintzelman and Hooker, had already marched to the relief of Pope, and were doing good service. After the arrival of McClellan, no troops of the army of the

Potomac did join General Pope. He was fighting desperately against superior numbers and being driven towards Washington. McClellan was within sound of the enemy's guns; he knew that his comrades were being driven towards the Capital, yet not a soldier reached the scene of conflict from Alexandria after McClellan's arrival. While he was thus loitering at Alexandria within sound of the enemy's guns, the following were the orders he disobeyed. It will be seen that he was informed of Pope's position, of the emergency, and that Pope wished reënforcements sent to Gainesville. He was ordered to move out Franklin's Corps by forced marches. This order was given on the 27th. On the evening of the 29th, Franklin's corps was at Anandale, seven miles from Alexandria, and Franklin himself at the latter place! In the meantime Pope's forces were fighting bloody battles on the 27th, 28th, and 29th, and were to fight again the 30th, without the aid of Franklin.

At 12 M. on the 27th, Halleck telegraphed to McClellan: *

"Telegrams from General Porter to General Burnside just received, say that Banks is at Fayetteville, McDowell, Sigel and Ricketts near Warrenton, Reno on his right, Porter is marching on Warrenton, to reënforce Pope. Nothing said of Heintzelman. Porter reports a general battle imminent. Franklin's corps should move out by forced marches, carrying three or four days provisions, and to be supplied as far as possible by railroad."

At 1.50 P. M. General Halleck telegraphed to McClellan:

"I think Sumner's corps should come to Alexandria. The enemy has appeared at Leesburg, and the Commanding officer at Edward's Ferry asks for cavalry. Have you any to spare him? The enemy seems to be trying to turn Pope's right. Is there no way of communicating with him?

On the morning of the 28th Halleck telegraphed to Franklin:

"On parting with General McClellan about 2 o'clock this morning, it was understood that you were to move with your corps to-day, towards Manassas Junction, to drive the enemy from the railroad. I have just

*See Report of the Committee on the Conduct of the War, p. 32, 33, 34.

learned that the General has not returned to Alexandria. If you have not received his order, act on this."

At 3.30 he telegraphed to McClellan:

"Not a moment must be lost in pushing as large a force as possible towards Manassas, so as to communicate with Pope before the enemy is reënforced." *

And at 8.40 P. M. he telegraphed:

"There must be no further delay in moving Franklin's corps towards Manassas; they must go to-morrow morning, ready or not ready. If we delay too long to get ready, there will be no necessity to go at all, for Pope will either be defeated or victorious without our aid. If there is a want of wagons, the men must carry provisions with them till the wagons can come to their relief."

At 3 P. M. on the 29th, Halleck telegraphed to McClellan, in reply to his despatch of 12 M.:

"I want Franklin's corps to go far enough to find out something about the enemy. Perhaps he may get such information at Anandale as to prevent his going further, otherwise he will push on towards Fairfax. Try to get something from direction of Manassas, either by telegram or through Franklin's scouts. Our people *must* move more actively, and find out where the enemy is. I am tired of guesses."

At 2.40 the President, in his intense anxiety to know the fate of the army fighting against odds, telegraphed to McClellan to know: "What news from direction of Manassas Junction? What generally?"

At 2.45 General McClellan replied:

"The last news I received from the direction of Manassas was from stragglers, to the effect that the enemy were evacuating Centreville, and retiring towards Thoroughfare Gap. This is by no means reliable. I am clear that one of two courses should be adopted: *First*, To concentrate all our available forces to open communication with Pope. *Second*, To LEAVE POPE TO GET OUT OF HIS SCRAPE, and at once use all means to make the Capital perfectly safe. No middle course will now answer. Tell me what you wish me to do, and I will do all in my power to

* Report on the Conduct of the War, Part I, p. 459, 461.

accomplish it. I wish to know what my orders and authority are. I ask for nothing, but will obey whatever orders you give. I only ask a prompt decision, that I may at once give the necessary orders. It will not do to delay longer."

How perfectly clear from all the telegrams, that McClellan had long since determined "to leave Pope to get out of his scrape!" The President, suppressing his indignation, looking only to the safety of the Capital and the army, and conscious of the cabal among some of the officers of the Army of the Potomac, sent the following reply:

"Yours of to-day just received. I think your first alternative, to-wit: 'to concentrate all our available forces to open communication with Pope,' is the right one. But I wish not to control. That I now leave to General Halleck, aided by your counsels."

General Halleck telegraphed the following peremptory order at 7.50 P. M. on the 29th.

"You will immediately send construction train and guards to repair railroad to Manassas. Let there be no delay in this. I have just been told that Franklin's corps stopped at Anandale, and that he was this evening in Alexandria. This is all contrary to my orders. Investigate and report the fact of this disobedience. That corps *must* push forward, as I directed, to protect the railroad, and open our communication with Manassas."

McClellan replied that he was responsible for the failure of Franklin to advance; that it was not safe for Franklin to go beyond Anandale! At 7.15, Franklin sends a dispatch to McClellan, dated *Anandale*, giving rumors of a battle with Pope, and saying that "Pope is said *to be short of provisions.*"

At 5 A. M., on the 30th, from a hard fought battle-field, General Pope sent the following telegram to Halleck:

"I think you had best send Franklin's, Cox's and Sturges' regiments to Centerville, as also forage and subsistence. I received a note this morning from General Franklin, written by order of General McClellan, saying that wagons and cars would be loaded and sent to Fairfax Station, as soon as I would send a cavalry escort to Alexandria to bring them

out. Such a request, when Alexandria is full of troops and we fighting the enemy, needs no comment. Will you have these supplies sent without the least delay to Centerville ?"*

General Halleck, on the 30th, at 9.40, telegraphed to McClellan:

"I am by no means satisfied with General Franklin's march of yesterday, considering the circumstances of the case. He was very wrong in stopping at Anandale. Moreover, I learned last night that the quartermaster's department could have given him plenty of transportation if he had applied for it, at any time since his arrival at Alexandria. He knew the importance of opening communication with General Pope's army, and should have acted more promptly."†

At 11 A. M. on the 30th, McClellan telegraphed that "Franklin and Sumner are instructed to join Pope as soon as possible." How long had Halleck been trying in vain to get them forward? At 12.20, Halleck said to McClellan, speaking of the expected arrival at Alexandria of General Couch, "send the troops *where the fighting* is." At 2.15, Halleck telegraphed to McClellan that "Franklin and Sumner's corps should be pushed forward with all possible dispatch; they must use their legs and make forced marches. Time now is everything." Had it been any less important during the 27th, 28th and 28th? Through the long and anxious hours of each day, the most urgent dispatches and commands had been sent to McClellan, only to be continually disregarded, and "to leave Pope to get out of his scrape." On the 31st of August, Pope telegraphed to Halleck from Centreville, that his troops were all there and in position, "though much used up and worn out. I think it would have been greatly better, if Sumner and Franklin had been here three or four days ago." But for McClellan, they would have been there. "But," says the plucky Pope, "you may rely upon my giving the enemy as desperate a fight as I can. I shall fight this army as long as a man will stand up to the work."

On the 2d of September General Pope received orders to fall back to the defences of Washington. Thus the Army of Virginia, with that portion of the Army of the Potomac

* See Report on Conduct of the War, Part I, p. 35.
† See Report on Conduct of the War. Part I, p. 35-6.

which came up the river in advance of McClellan, and were permitted to join Pope, was defeated, and compelled to retreat to the fortifications of Washington. These battles cost much patriotic blood; among those who fell was the gallant, impetuous Phil. Kearney, the bravest of the brave. He lost an arm in Mexico; but with his bridle between his teeth and sword in his left hand, he was accustomed to lead his troops into the thickest of every fight.

But the army contested every inch of ground, and maintained the contest with a gallantry and heroism which, had it been supported by McClellan, and the troops under his command, would have given it a glorious victory. If reënforced with the 40,000 men, which were at Alexandria, and within reach, it would have whipped Lee; but it would have been a victory which would have covered Pope, and not McClellan, with laurels. The conduct of General McClellan in failing to send troops to the relief of Pope, the positive disobedience on the field by Fitz John Porter of the orders of General Pope, a disobedience for which he was tried by a board of general officers, found guilty and cashiered, clearly shows that there was among some of the officers of the Army of the Potomac a cabal and a conspiracy against Pope. This cabal, and others of the officers of the Army of the Potomac, who honestly distrusted Pope, and believed that the troops of McClellan would not fight so well under any other leader, all clamored against Pope, and demanded that McClellan should be restored to the head of all the forces. It was a very critical period. As Pope retired to Washington, Lee advanced towards Maryland.

Two courses were suggested and discussed in the Cabinet of Mr. Lincoln. One was to place McClellan in command of all the forces, including both the Army of Virginia and of the Potomac, and the other to arrest and try him and some of his subordinates for disobedience and insubordination. General Halleck and the Secretary of War charged him with disobedience of orders, and with being responsible for the disasters under Pope; and they were clearly right. It was stated by at least one member of the Cabinet, that McClellan deserved death for his repeated disobedience of orders, and failure to reënforce Pope. He and Fitz John Porter must

go down to posterity as responsible for the sacrifice of Pope and his army. The President said to Pope, when he came to Washington, that he had no fault to find with him; he had faithfully performed his duty; yet yielding to the real or supposed necessities of the hour, he relieved him of his command, and placed the person most responsible for his disasters again at the head of the army.

On the the trial of Fitz John Porter for disobedience, his guilt was clearly established, and the evidence of the complicity of his superior, McClellan, was scarcely less clear. General McClellan was never placed on trial, because the Government, with a knowledge of the facts, gave him a new command, and the gallant Army of the Potomac fought and won the battle of Antietam, and this, to some extent, condoned his great offense.

Immediately after General Pope and his army fell back upon Washington, General Lee proceeded towards the Potomac, north of the Capital, with the obvious purpose of crossing into Maryland. He expected to meet a cordial reception in that State from the slaveholders; and if the Baltimore and Ohio Railroad could be severed, and Baltimore captured, Washington itself would probably fall. It has already been stated that McClellan was placed at the head of the army which was to contend with Lee. On his arrival at Alexandria, from the Peninsula, his command had been limited to the defenses of Washington. General McClellan had now with him the Army of the Potomac, and the remnants of the army of Pope, the forces of Burnside, and his numbers were increased by the fresh troops which again poured in from the loyal States. Immediately after McClellan left the Capital, his despatches were of the same character as those he sent during his Richmond campaign—a constant exaggeration of the force of the enemy, constant calls for more troops, and the same tardiness in going forward. He wished the troops at Washington sent to him, "even if Washington should be taken: that would not bear comparison with the ruin and disaster which would follow a single defeat of this army."*

* Report on the Conduct of the War, Part I, p. 39.

On the 11th of September, General McClellan asked that Colonel Miles, who held with some 12,000 troops the important position of Harper's Ferry, should be ordered to join his army. This order was not given; but it was suggested to General McClellan to open communication with Harper's Ferry, when that force would be under his command. On the 14th of September the battle of South Mountain was fought by General Burnside and General Franklin. The rebels were repulsed, and driven back to Sharpsburg.

The picturesque village of Harper's Ferry lies on the banks of the Potomac and the Shenandoah, in the valley formed by Maryland Heights—a high, rocky mountain, lying on the Maryland side of the Potomac, and Louden Heights, constituting the Virginia side. Between Louden Heights and Harper's Ferry, the Shenandoah has cut its way through the rocks into the Potomac. The lower ridge, lying between the Potomac and the Shenandoah, is called Bolivar Heights. An air line from the Maryland Heights to Louden Heights would be perhaps two miles long. Maryland Heights overtop the others, and command the position. The post was held by Colonel Miles with more than 12,000 men, and properly posted on Maryland Heights the position could have been held against a greatly superior force, and been maintained by Miles until relieved. But Colonel Ford abandoned Maryland Heights, and in consequence the whole garrison were compelled to surrender to Jackson on the 15th of August.

McClellan, by promptness, could have saved Harper's Ferry. Swinton, who excuses McClellan when he can, says: "If he had thrown forward his army with the vigor used by Jackson in his advance on Harper's Ferry, the passes of the South Mountain would have been carried before the evening of the 13th, at which time they were feebly guarded * * he might the next morning have fallen upon the rear of McLaws, at Maryland Heights, and relieved Harper's Ferry, which did not surrender until the morning of the 15th.*

On the 17th was fought the bloody battle of Antietam. At daylight, the battle was opened by "fighting Joe Hooker,"

* See Swinton's Army of the Potomac, p. 202.

commanding the right of McClellan's army. He drove the enemy back, and gained important advantages. General Hooker, while gallantly leading his troops, was severely wounded and borne from the field, when the command of the right wing devolved upon General Sumner. General Mansfield had been killed, and the Union troops heavily pressed and forced back, but, when assisted by the force brought up by Sumner, they checked the enemy, and held their position.

General Burnside commanded the left, and at 10, A. M., had been ordered to attack and carry the stone bridge across Antietam Creek, which was in his front, and to cross and attack the enemy beyond. Burnside met with a most obstinate resistance; and it was not until half-past one that the bridge was carried, and by the time Burnside's whole force was across, the enemy had brought from the right wing reinforcements, and occupied the elevated ground beyond. He was then ordered to take the heights commanding Sharpsburg, which was done after a desperate resistance. But the enemy massing their force in front of Burnside, forced him back from some of the ground he had taken, and he sent to McClellan for reënforcements, but was told he could have none, although the centre, under command of Fitz John Porter, did not participate in the action at all. General McClellan was with this large corps, which remained inactive during the terrible day. The battle closed at dark with advantage to the Union troops, but without decisive results. General Sumner says "the troops were sent into the action in driblets; if General McClellan had authorized me to march 40,000 men on the left flank of the enemy, we could not have failed to throw their right back in front of Burnside, Franklin and Porter's corps; and as it was, we went in, division after division."* If he could have executed the movement he desired, Sumner was clearly of the opinion that the escape of the enemy would have been impossible. The following day, neither army renewed the attack. General Burnside urged that the attack should be renewed at daylight, the day after the battle. General Franklin also

* See Sumner's testimony before Committee on Conduct of the War.

expressed the opinion that the attack should be renewed, and felt confident of success.

On the 18th, the enemy were permitted to abandon their position, and, without molestation, retired across the Potomac into Virginia. The Union army slowly followed, occupying Maryland Heights on the 20th, and Harper's Ferry on the 23d. The losses in the battles of South Mountain and Antietam were very severe, General McClellan reporting them, in killed and wounded, at 14,794, and expressed the opinion that the enemy lost at least double that number in this Maryland campaign.

He called again for reënforcements, and announced his determination to fortify Maryland Heights. On the 27th, he asked that everything available in Washington might be sent to reënforce his army. On the 7th of October, there having been no movement by McClellan, Halleck renewed the old complaint of inactivity:

"The army must move. The country is becoming very impatient at the want of activity of your army, and we must push it on. The enemy are falling back towards Richmond; we must follow them and seek to punish them. There is a decided want of *legs* in our troops.

The fault was not in the *troops*, but in the *leader*. Halleck continued:

"They have too much immobility, and we must try to remedy the defect. A reduction of baggage and baggage trains will effect something; but the real difficulty is, they are not sufficiently exercised in marching; they lie still in camp too long. After a hard march, one day is time enough to rest; lying still beyond that time does not rest the men. If we compare the average distances marched per month by our troops for the last year with that of the rebels, or with European armies in the field, we will see why our troops march no better. They are not sufficiently exercised to make them good and efficient soldiers."

Early in October, the President visited the army. The battle of Antietam had been fought on the 17th of September, and after it no blow had been struck upon the enemy, and the anxious President visited McClellan to try and find

out the difficulty. On his return, the following order was sent to the commander:

"I am instructed to telegraph you as follows: The President directs that you cross the Potomac and give *battle* to the enemy, or drive him south. Your army must move now while the roads are good. If you cross the river between the enemy and Washington, and cover the latter by your line of operations, you can be reënforced with 30,000 men. If you move up the Valley of the Shenandoah, not more than 12,000 or 15,000 can be sent to you.

"The President advises the interior line between Washington and the enemy, but does not order it. He is very desirous that your army move as soon as possible. You will immediately report what line you adopt, and where you intend to cross the river; also to what point the reënforcements are to be sent. It is necessary that the plan of your operations be positively determined on before orders are given for building bridges, or repairing railroads.

"I am directed to add that the Secretary of War and the General-in-Chief fully concur with the President in these instructions.*

"H. W. HALLECK, *General-in-Chief.*"

This order was prepared by the President himself, and commanded McClellan to "*give battle.*" How often had this order been repeated in vain? and it was equally vain now. He says in reply that "several corps could not be in readiness to move for three days."

On the 10th of October, the rebel General Stuart amused himself by crossing the Potomac, and making the entire circuit of McClellan's army, and recrossing the river into Virginia. General McClellan excused this on the grounds of the deficiency of his cavalry, and the want of horses. To this the President replied, through Halleck, that if McClellan would give the enemy more to do south of the Potomac, he would have less time for raids north of it."

On the 13th of October, the President made one more effort to induce McClellan to "*give battle.*" He wrote to him the following kind letter:

"*My Dear Sir:*—You remember my speaking to you of what I called your over-cautiousness. Are you not over-cautious when you

*Report on the Conduct of the War, Part I, p. 514-15.

assume that you cannot do what the enemy is constantly doing? Should you not claim to be at least his equal in prowess, and act upon the claim?

"As I understand, you telegraphed General Halleck that you cannot subsist your army at Winchester, unless the railroad from Harper's Ferry to that point be put in working order. But the enemy does now subsist his army at Winchester, at a distance nearly twice as great from railroad transportation, as you would have to do without the railroad last named. He now wagons from Culpepper Court House, which is just about twice as far as you would have to do from Harper's Ferry. He is certainly not more than half as well provided with wagons as you are. I certainly should be pleased for you to have the advantage of the railroad from Harper's Ferry to Winchester; but it wastes all the remainder of Autumn to give it to you, and, in fact, ignores the question of *time* which cannot and must not be ignored.

"Again, one of the standard maxims of war, as you know, is, 'to operate upon the enemy's communications as much as possible without exposing your own.' You seem to act as if this applies *against* you but cannot apply in your *favor*. Change positions with the enemy, and think you not he would break your communication with Richmond within the next twenty-four hours? You dread his going into Pennsylvania. But if he does so in full force, he gives up his communications to you absolutely, and you have nothing to do but to follow and ruin him; if he does so with less than full force, fall upon and beat what is left behind, all the easier.

"Exclusive of the water line, you are now nearer Richmond than the enemy is, by the route that you *can*, and he *must* take. Why can you not reach there before him, unless you admit that he is more than your equal on a march? His route is the arc of a circle, while yours is the chord. The roads are as good on yours as on his.

"You know I desired but did not order you, to cross the Potomac below, instead of above the Shenandoah and Blue Ridge. My idea was that this would at once menace the enemy's communications, which I would seize, if he would permit. If he should move northward, I would follow him closely, holding his communications. If he should prevent our seizing his communications, and move towards Richmond, I would press closely to him, fight him if a favorable opportunity should present, and at least try to beat him to Richmond on the inside track. I say 'try;' if we never try, we shall never succeed. If he makes a stand at Winchester, moving neither north nor south, I would fight him there, on the idea that if we cannot beat him when he bears the wastage of coming to us, we never can when we bear the wastage of going

to him. This proposition is a simple truth, and is too important to be lost sight of for a moment. In coming to us, he tenders us an advantage which we should not waive. We should not so operate as to merely drive him away. As we must beat him somewhere, or fail finally, we can do it, if at all, easier near to us than far away. If we cannot beat the enemy where he now is, we never can, he again being within the entrenchments of Richmond.

"Recurring to the idea of going to Richmond on the inside track, the facility for supplying from the side away from the enemy, is remarkable, as it were by the different spokes of a wheel extending from the hub towards the rim; and this, whether you move directly by the chord or on the inside arc, hugging the Blue Ridge more closely. The chord line, as you see, carries you by Aldie, Haymarket and Fredericksburg, and you see how turnpikes, railroads, and finally the Potomac, by Acquia Creek, meet you at all points from Washington. The same, only the lines lengthened a little, if you press closer to the Blue Ridge part of the way. The gaps through the Blue Ridge I understand to be about the following distances from Harper's Ferry, to wit: Vestals, five miles; Gregory's, thirteen; Snicker's, eighteen; Ashby's, twenty-eight; Manassas, thirty-eight; Chester, forty-five; and Thornton's, fifty-three. I should think it preferable to take the route nearest the enemy, disabling him to make an important move without your knowledge, and compelling him to keep his forces together for dread of you. The gaps would enable you to attack if you should wish. For a great part of the way you would be practically between the enemy and both Washington and Richmond, enabling us to spare you the greatest number of troops from here. When at length, running for Richmond ahead of him, enable him to move this way; if he does so, turn and attack him in rear. But I think he should be engaged long before such point is reached. It is all easy if our troops march as well as the enemy, and it is unmanly to say they cannot do it. This letter is in no sense an order.

"Yours truly,

"A. LINCOLN."

General McClellan's aggregate force at this time was 304,609; present and fit for duty, 207,096. The President urged McClellan "*to try*." "If we never try," said he, "we shall never succeed."* It had been charged that McClellan did not move for want of supplies. The subject was referred by the Secretary of War to General Halleck, who

*Report on Conduct of War, Part I, p. 524-525.

reported that General McClellan's requisitions had been immediately filled, and that his army had been better supplied than the troops operating in the West. He also stated that, on the 1st of October, he had ordered McClellan to cross the Potomac and give battle. On the 6th, his orders were peremptory.

On the 25th of October, McClellan sends a report of Colonel Williams, stating that his horses had sore tongues, lameness, sore backs, etc., and the horses which are sound are absolutely broken drown from fatigue and want of flesh. To this the President replies impatiently:

"I have just read your despatch about sore tongue and fatigued horses. Will you pardon me for asking what the horses of your army have done since the battle of Antietam, that fatigues anything?"*

And in a succeeding despatch of the 27th, the President says:

"And now I ask a distinct answer to the question: Is it your purpose not to go into action again until the men now being drafted in the States are incorporated in the old regiments?" †

At last the movement of the army across the Potomac began on the 26th of October, and was not concluded until the 3d of November—four weeks from the date of the order, and six weeks after the battle of Antietam! On the 5th of November, the patience of the country long since exhausted, that of the President gave way, and he issued the order relieving McClellan of command, and directing him to turn it over to General Burnside.

Thus ingloriously ends the military career of George B. McClellan. With an army which, in numbers, equipments, arms, *esprit*, pluck and endurance, was never surpassed, unless possibly by the veterans of Grant and Sherman; with the finest opportunities for winning fame and serving his country ever presented, he retired to New Jersey, no more to emerge, except as the partizan candidate for the Presidency of the

* Report on the Conduct of the War, Part I, p. 547-553.

† Report on the Conduct of the War, Part I, p. 525. As to number of troops, see page 534.

party which declared "the war a failure," and a majority of which opposed its vigorous prosecution. He himself was the most conspicuous failure of the war. He wrote more despatches, and General Grant fewer, than any other general of the war. The burden of those written by McClellan was a constant call for reënforcements, exaggerated and extravagant statements of the force of the enemy, and declarations of what he was going to do. Grant rarely called for reënforcements, never expressed apprehensions of the enemy, and when he spoke of himself, it was never to profess what he intended to do, but to state in the most simple and modest language, and in the fewest possible words, what had been done.

McClellan commanded the grand army of the Potomac for over fifteen months; he rarely attacked, and the successes won by his gallant and able subordinates he never followed up, to secure decided results, although opportunities of the most favorable character attended him from Yorktown to Malvern Hill. He often withheld his army from attack; and after all his disasters, fortune, through the kindness of the President, offered him still an opportunity at Antietam, to redeem his failure. I have dwelt upon his campaigns, and lingered over the correspondence between him and the President, because in 1864 he was the opposing candidate for the presidency to Mr. Lincoln, and because I wished to exhibit truthfully, clearly and fully, the patience, the faithfulness and generosity with which he was supported by Mr. Lincoln. Mr. Lincoln never failed to do full justice to his political opponents. He sustained McClellan until it was demonstrated by repeated trials and failures, by repeated neglect on the part of the General to obey orders, that to retain him longer at the head of the army, was to endanger the cause of the Union. I venture the prediction that when the prejudices and partialities of the day shall have passed away, history will censure Mr. Lincoln for adhering to McClellan too long, rather than for a failure to support and stand by him. What were the motives which controlled McClellan—what considerations withheld him from obeying the President's urgent, repeated, ever continuing entreaties and orders to attack the enemy, it is difficult to define. His enemies have suggested every motive,

even secret treason, complicity with the rebels and personal cowardice. These in my judgment do him great injustice; still he was ever to a greater or less extent in political sympathy with those who declared it wrong to coerce the South, and who always reiterated that the seceded States could never be subjugated, and that the Union could not be restored by the means which Mr. Lincoln used. It is more charitable, probably more true, to say that he failed from a constitutional inability to meet the responsibility of a great crisis by prompt and decided action. He was always looking to the rear, and there was ever some insurmountable obstacle, or overwhelming numbers in his front. "With all his failings," said Mr. Lincoln, "McClellan was a pleasant and scholarly gentleman. He added: "He was an admirable engineer, but he had a special talent for a *stationary* engine."

On the 8th of November, General A. E. Burnside, by order of the President, assumed command of the army. He was a frank and manly soldier, of fine personal appearance, and everywhere respected as a Christian gentleman, and a patriot. He accepted the position with diffidence. On the 9th, he forwarded to Washington his plan of proposed operations. On the 12th, General Halleck and General Meigs visited his camp at Warrenton, and held a conference with him upon the movements to be made. General Burnside stated that his plan was to concentrate the army in the neighborhood of Warrenton, to make a movement across the Rappahannock as a feint, thus to lead the enemy to believe his object was Gordonsville, and then to make a rapid movement of the whole army to Fredericksburg. He desired to have provisions, forage, and pontoons sent to Falmouth, opposite Fredericksburgh, to enable his army to cross the Rappahannock. An order was immediately sent by Halleck to General Woodbury at Washington, to call on the Quartermaster General for trans portation for pontoons to Aquia Creek. This order was received by Woodbury on the 13th of November. On General Halleck's return on the 14th he had an interview with the President, in which Mr. Lincoln consented to Burnside's plans, and Halleck telegraphed to him to go ahead. There seems to have been some misunderstanding between Halleck

and Burnside, in regard to who was to see that the pontoons should reach Falmouth, opposite Fredericksburg in time.

Burnside started for Fredericksburg on the 16th, and reaching the river opposite that city on the 19th, found the pontoons were not there, and they did not arrive for some time, so that he was not ready to cross before the 10th of December. By this delay, all the advantage of a surprise was lost, and the enemy had time to concentrate their forces upon the heights overlooking Fredericksburg, and to entrench. There was much discussion at the time, in regard to the question as to who was in fault for the failure of the pontoons to reach there in time. Upon this point, after full examination, these facts are proved: Generals Halleck and Meigs, as well as Burnside, knew of the movement, and of the importance of the pontoons being at Fredericksburg in time. Each of them it would seem ought to have known personally that they were there. Neither should have depended upon the other. Each did depend, to some extent, upon the other, or on subordinates, and there was neglect.

When such vast results are dependent upon things being done promptly, *no person* connected with the transaction should trust to another. At the bar, no good lawyer, when about to enter upon a trial, involving the life of a human being, ever leaves the main witness to be examined by his clerk or assistant; he sees and knows personally what the important evidence is. So, a great Commander, a great General in the position of Burnside, Halleck and Meigs, and with their knowledge of the possible fate of a great expedition depending on the arrival of pontoons at a particular date, should not have depended upon any other, but each should have known personally, that the thing was done.

On the 11th and 12th of December, General Burnside's army crossed, and on the 13th attacked the enemy; Hooker under Sumner, commanding the centre, and General Franklin the left. General Burnside's plan was, that Franklin should turn the enemy's right, while the heights of Fredericksburg should be carried by assault. General Meade, under Franklin, carried a portion of the enemy's works on the right, but not being supported, was compelled to fall back. Franklin was

blamed by Burnside; but he alleged ambiguous orders, and that he did not understand them. The main assault upon the heights of Fredericksburg, although most gallantly made, was repulsed with terrible slaughter. The works, and position of the enemy were too strong. It was a sad, and bloody day for the brave men who had driven the enemy from the field at Antietam. It is difficult now to understand why the army should be led across a stream like the Rappahannock, and up to the assault of works which the delay in the arrival of the pontoons had given Lee full time to construct. Why should not a flank movement have been made, such as was made again and again by Sherman and Grant, and thus force the enemy to deliver battle upon more equal ground? The position of Lee was very strong; he occupied a fortified ridge, the approach to which was swept by artillery. After holding the position in the town until the 15th, in the evening the army was withdrawn to Falmouth; and the morning of the 16th saw General Burnside's army on the North bank, with a loss in killed, wounded, and missing, of about 12,321!

The armies of Burnside and Lee, now confronted each other on the banks of the Rappahannock. In reviewing the campaign of 1862, in the East, the result was upon the whole, favorable to the rebels. With a smaller force than the Union army, they had kept the army of the Potomac all the Autumn and Winter of 1861–2 in the defences of Washington. They had blockaded the Potomac. They had, by the blunders and want of vigor in McClellan, repulsed him from Richmond. They had sent Jackson, swooping like an eagle, through the Valley of the Shenandoah, driving Banks across the Potomac, and then escaping from Fremont and McDowell. They had frightened McClellan away from Richmond, without ever once defeating his combined army; but on the contrary, his troops often defeated the rebels; yet the fruits of victory McClellan would never seize, but always, after knocking down the enemy, would call for reënforcements, or run away from him.

Then came the spirited and hard fought campaign of Pope, when, had McClellan obeyed orders, the armies of Burnside, Pope, and McClellan, would have been consolidated on the

field of Manassas, and crushed the smaller force of Lee; but McClellan's disobedience, and Fitz John Porter's treachery, led to the retreat on Washington.* Then came the rebel march into Maryland, and the battle of Antietam, which ought to have been a crushing defeat of the rebels, but which was upon the whole an undecisive victory. Lee's 12,000 prisoners captured by Jackson at Harper's Ferry, was an offset or equivalent for his losses at South Mountain and Antietam. Then followed the long delays of McClellan — his removal — Burnside's campaign — closed by the slaughter of Fredericksburg. Such is the sad and gloomy picture of the war on the Atlantic in 1862.

Let us return to the West, where, as Pope said boastingly but truthfully, "the Union armies had been accustomed to see the backs of their enemy." This narrative is designed to exhibit the spirit of contending principles, and to follow the movements of armies, so far only as is incidental and necessary to exhibit the final triumph of freedom, and therefore does not go fully into the details of the vast and varied movements west of the mountains.

The evacuation of Corinth by Beauregard, led to the separation of the armies of Grant and Buell. Grant advanced towards the South, to take and hold the military positions along the banks of the Mississippi, preparatory to the great work which he was destined to accomplish of reclaiming and opening the Mississippi. He was to lead the sons of the Northwest, who were "to hew their way to the sea."

Buell was to move towards Chattanooga, and attempt the too long delayed work of relieving the loyal people of East Tennessee. These people occupying the mountains, had few slaves, and were passionately devoted to the Union. Never were a people more cruelly persecuted than the devoted Unionists of this mountain region. Conscripted into rebel armies, driven from their homes, their houses burned, their property destroyed, families outraged, they fled to the caves of the mountains, and organizing small bands, maintained a brave but unequal conflict for the flag they loved.

* "Had the army of the Potomac arrived a few days earlier, the rebel army would have been easily defeated." Halleck's Report, November, 1862.

Buell moved to the vicinity of Chattanooga, but he was forced back, and the rebels, under Bragg, entered Kentucky, and occupied Frankfort the Capital, Lexington, and other important positions. On the 18th of September, Bragg issued a proclamation, calling upon Kentucky to rally to his support. On the 4th of October, a "*Provisional Government*" was proclaimed by the rebels at Frankfort. Louisville and Cincinnati were threatened and fortified. On the 6th of October, Buell's troops reached Springfield, sixty miles from Louisville. On the 8th of October, was fought the battle of Perryville. A portion of Buell's army, under McCook, was attacked unexpectedly, and thrown into confusion, and retreated. Crittenden's forces coming up in the evening, the forces of Bragg retired. He succeeded in escaping with large supplies. Buell, on the 25th of Ocober, by order of the President, was superceded by General Rosecrans.

Previous to this, on the 26th of September, General Rosecrans was in command at Corinth. On the 4th of October, he was attacked by Price on the right, and Van Dorn on the left. For a moment, the attack of Van Dorn was so severe that the division of Davis fell back, but Rosecrans, in person rallying his men, and leading the Fifty-sixth Illinois to a bold bayonet charge, drove back and scattered the enemy with great havoc; other forces participating, the whole force of Van Dorn was repulsed with a loss of near 5,000 killed and wounded, and 2,265 prisoners. Rosecrans' whole loss did not exceed 2,357.

The stronghold of Vicksburg, strong by nature, and fortified with all the skill of the ablest engineers, was, as yet, an insurmountable obstacle to the complete recovery of the Mississippi. A movement against it was defeated by the disgraceful surrender of Holly Springs, by Colonel Murphy, on the 20th of December, by which a vast amount of stores and supplies fell into the hands of the enemy.

Generals Sherman and McClernand organized a movement against Vicksburg, from Memphis and Cairo, which sailed on the 20th of December, and which arrived at Milliken's Bend on the 24th, and destroyed a portion of the Vicksburg and Texas Railroad. On the 27th, the troops disembarked on the plantation of the late General Albert Sidney

Johnson, on the Yazoo River. They met the active and efficient cooperation of a gunboat fleet, under command of Commodore Ellett.

On the 29th, a general and gallant assault was made upon the defenses in the rear of Vicksburg, in which General F. P. Blair particularly distinguised himself, but the place was too strong, and too well defended; and the assault, though gallantly made, was repulsed with severe loss. The forces of General Sherman retired to Milliken's Bend, and went into camp at the beginning of the year 1863.

The results in the West, subsequent to May, 1862, were much less decisive for the Union cause than the brilliant record of the Fall, Winter and Spring of 1861–2. The campaign of 1862 was however crowned with the victory of Rosecrans over General Joseph E. Johnston, at Stone River.

In December, the rebel army was concentrated at Murfreesboro, and the Union army at Nashville. Johnston supposing the Union army would go into winter quarters at Nashville, detached his cavalry under Forrest, to cut the railroad in Grant's rear, and another body under Morgan, to go into Kentucky. Rosecrans determined to improve this opportunity to strike the enemy. On the 26th, he began to move upon the enemy. On the 31st, McCook, who had the right of Rosecrans' army, was attacked by a heavy force on his entire line. He was driven back by overwhelming numbers, and his force retreated with a loss of many prisoners. Rosecrans massed his artillery, and prepared for an attack on his left and centre by the rebels, sending Generals Negley and Rosseau to the aid of McCook. This checked the rebel advance. As they were coming up the second time, Rosecrans opened upon them his newly planted batteries, and after a short conflict they turned and fled in confusion, leaving immense numbers of dead and wounded on the field. The rebels renewed the attack later in the day, and were again repulsed.

On the 4th of January, Johnston retreated from Murfreesboro. The Union loss in killed, wounded, and prisoners, was 11,578, and the rebel loss, 14,560.

CHAPTER XVII.

THIRD SESSION THIRTY-SEVENTH CONGRESS.

PRESIDENT'S MESSAGE DEC., 1862—PROPOSAL TO AID MISSOURI IN EMANCIPATION—BILL AUTHORIZING ENROLLING COLORED TROOPS—ENROLLMENT BILL—DEBATE IN SENATE AND HOUSE—BINGHAM—COX—DUNN—THOMAS—SENATOR WILSON—MCDOUGALL—ADMISSION OF WEST VIRGINIA—DEBATE—MAYNARD—STEPHENS—BINGHAM—THOMAS—ADMISSION OF MEMBERS FROM LOUISIANA—WAR POWERS OF THE GOVERNMENT—ARBITRARY ARRESTS—VALLANDIGHAM—LINCOLN'S REPLY TO ALBANY MEETING—HABEAS CORPUS—CLOSE OF THIRTY-SEVENTH CONGRESS—SPEAKER GROW'S VALEDICTORY.

THE action of the drama calls us again from the field of war to the forum of Congress; from the conflict of arms to the conflict of principles in the National council, and before the people. The tyranny over mind, which two centuries of slavery had riveted, was being broken, and the loyal people of the Nation had learned in the school of war clearly to see that the unity of the Nation, with a homogeneous people, was a necessity to its grand destiny; and to secure that unity, slavery must be removed. Whatever the purposes of the administration at the beginning, the inexorable logic of war was driving it to abolition. The Republic was based upon man's equality before the law. Slavery was an anomaly, inconsistent with the principles upon which the government was founded, and must either yield itself or overturn the Government. The war was a natural and perhaps inevitable conflict between the systems of free and slave labor. These truths gradually became more and more the settled convictions of the American people, and resulted in the proclamation of emancipation. The effect of this proclamation abroad, was sharply to define the issue between an established Government fighting for liberty,

and a rebellion inaugurated to maintain and secure slavery. The emissaries of the insurgents abroad were disarmed by this act; from the hour of its promulgation, the danger of foreign recognition and foreign intervention ceased to exist. The response of the people of Europe, in hearty, genuine sympathy, was such as to prevent intervention by those of their rulers who wished success to the rebel cause.

The President in his annual message, calls attention to the success of the financial measures which, under the able lead of Mr. Chase, had been sanctioned by Congress. Large issues of Treasury notes had been made, and these had been declared by law receivable for loans and internal duties, and made a legal tender in payment of all debts; and this made them a universal and very welcome and popular currency. The President recommended the passage of a law authorizing banking associations; the Government to furnish the notes for circulation on the deposit in the Treasury of the United States, of Government bonds as security. The bill authorized the conversion of existing State banks into National banking associations.

The leading feature of the message was that which treated the great questions of emancipation, and the necessity of National unity. The President announced to Congress that on the 22d of September he had issued a preliminary proclamation, announcing his intention to proclaim freedom to the slave, and communicated a copy of the paper.

In accordance with the second paragraph of the proclamation, in language which, for Statesman like views, and clearness of statement, will compare favorably with any State paper in American annals, he recalled to the attention of Congress the proposition of "compensated emancipation." He said: *

"A Nation may be said to consist of its territory, its people and its laws. The territory is the only part which is of certain durability. 'One generation passeth away, and another generation cometh, but the earth abideth forever.' It is of the first importance to duly consider and estimate this ever-enduring part. That portion of the earth's surface which is owned and inhabited by the people of the United States is well

* McPherson, p. 220.

adapted to be the home of one National family; and it is not well adapted for two or more. Its vast extent and its variety of climate and productions are of advantage in this age for one people, whatever they might have been in former ages. Steam, telegraphs, and intelligence, have brought these to be an advantageous combination for one united people. * * *

"There is no line, straight or crooked, suitable for a National boundary upon which to divide. Trace through from East to West, upon the line between the free and slave country, and we shall find a little more than one-third of its length are rivers easy to be crossed, and populated, or soon to be populated, thickly upon both sides, while nearly all its remaining length are merely surveyor's lines, over which people may walk back and forth, without any consciousness of their presence. No part of this line can be made any more difficult to pass, by writing it down on paper or parchment as a National boundary. * * *

"But there is another difficulty. The great interior region bounded east by the Alleghanies, north by the British dominions, west by the Rocky mountains, and south by the line along which the culture of corn and cotton meets, and which includes part of Virginia, part of Tennessee, all of Kentucky, Ohio, Indiana, Michigan, Wiconsin, Illinois, Missouri, Kansas, Iowa, Minnesota, and the Territories of Dakota, Nebraska, and part of Colorado, already has above ten millions of people, and will have fifty millions within fifty years, if not prevented by any political folly or mistake. It contains more than one-third of the country owned by the United States—certainly more than one million square miles. Once half as populous as Massachusetts already is, it would have more than seventy-five millions of people. A glance at the map shows that, territorially speaking, it is the great body of the Republic. The other parts are but marginal borders to it, the magnificent region sloping West from the Rocky mountains to the Pacific being the deepest, and also the richest in undeveloped resources. In the production of provisions, grains, grasses, and all which proceed from them, this great interior region is naturally one of the most important in the world. Ascertain from the statistics the small proportion of the region which has as yet been brought into cultivation, and also the large and rapidly increasing amount of its products, and we shall be overwhelmed with the magnitude of the prospect presented. And yet this region has no seacoast, touches no ocean anywhere. As part of one nation, its people now find, and may forever find their way to Europe by New York to South America and Africa by New Orleans, and to Asia by San Francisco. But separate our common country into two nations, as designed by the present rebellion, and every man of this great interior region is thereby cut off from some one or more of these outlets; not

perhaps by a physical barrier, but by embarrassing and onerous trade regulations."

The absolute necessity of the Union to the Northwest, the vast grain growing region, was never more strikingly presented. The President as the leading mind of the Mississippi Valley, spoke its convictions and sentiments, when he thus presented the impossibility of disunion. He knew that the great West, with one hand clasped the East, and with the other would, if necessary, grasp the South, and hold the Union together forever.

The President went on to say:

"And this is true *wherever* a dividing or boundary line may be fixed. Place it between the now free and slave country, or place it south of Kentucky, or north of the Ohio, and still the truth remains, that none south of it can trade to any port or place north of it, and none north of it can trade to any port or place south of it except upon terms dictated by a Government foreign to them. These outlets, east, west, and south, are indispensable to the well being of the people inhabiting, and to inhabit this vast interior region. *Which* of the three may be the best, is no proper question. All are better than either; and all of right belong to that people and to their successors forever. True to themselves, they will not ask *where* a line of separation shall be, but will vow rather that there shall be no such line. Nor are the marginal regions less interested in these communications to and through them, to the great outside world. They too, and each of them, must have access to this Egypt of the west, without paying toll at the crossing of any National boundary.

"Our national strife springs not from our permanent part; not from the land we inhabit; not from our national homestead. There is no possible severing of this, but would multiply and not mitigate evils among us. In all its adaptations and aptitudes it demands Union and abhors separation. In fact, it would ere long force re-union, however much of blood and treasure the separation might have cost. Our strife pertains to ourselves—to the passing generations of men; and it can, without convulsion, be hushed forever with the passing of one generation."

And thereupon the President suggested to Congress the adoption of amendments of the Constitution, providing

compensation to every State, wherein slavery then existing, should abolish it before the year 1900. These proposed amendments would operate only in those States in which slavery had not been abolished by the proclamation. The amendments proposed compensation to loyal owners, whose slaves had been freed by the operations and chances of war. In urging these amendments upon Congress, the President declared the now generally conceded truth, that "without slavery, the rebellion could never have existed; without slavery it could not continue." He closes a most earnest appeal for the system of compensated emancipation in these memorable words:

"Fellow citizens, *we* cannot escape history. We of this Congress and this administration, will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass, will light us down in honor or dishonor, to the latest generation. We *say* we are for the Union. The world will not forget that we say this. We know how to save the Union. The world knows we do know how to save it. We—even *we here*—hold the power and bear the responsibility. In *giving* freedom to the *slave*, we assure freedom to the *free*—honorable alike in what we give and what we preserve. We shall nobly save, or meanly lose, the last, best hope of earth. Other means may succeed; this could not fail. The way is plain, peaceful, generous, just—a way which, if followed, the world will forever applaud, and God must forever bless." *

In pursuance of the recommendation of the President, a bill passed the House of Representatives, appropriating ten millions to compensate the owners of slaves in Missouri, on condition that that State should emancipate all her slaves, within one year from January, 1863.

In the Senate, the bill was so amended as to appropriate twenty millions in United States bonds for compensation to the owners of slaves, provided that State should adopt a valid and Constitutional law for gradual or immediate emancipation of all slaves in Missouri, and the exclusion of slavery from that State forever thereafter. Such a law to be passed within twelve months, and to provide that slavery should forever cease on some day not later than the 4th of July, 1876.

* McPherson's History, p. 224.

Senator Howard, of Michigan, in urging the passage of this bill, said:

"Eighteen hundred and seventy-six will be a great epoch in the history of this Nation as I trust, if the people are true to themselves, true to their own interests, to that tutelary Constitution under which we have lived and prospered for eighty years past. I shall expect, if I shall have the good fortune to survive until that day, to see the Constitution in its vigor and purity restored, and the Union restored, and to see not one foot of slave soil within the territorial limits of the United States. I hope, sir, to live to see that day."

The bill as amended came back to the House, and was committed to a select Committee, and was not again considered by the House. On the 15th of December, 1862, the House, by a vote of 78 to 52, adopted resolutions sanctioning the proclamation of freedom and declaring it to have been warranted by the Constitution, and well adapted to hasten peace, and well chosen as a war measure.

The Secretary of War, Mr. Stanton, in his annual report, expressed the opinion that the power of the rebels rested upon their peculiar system of labor, which enabled them, by the employment of slaves on the plantations, to support the masters while devoting themselves to the war. He expressed the opinion that it was the duty of the Government to strike down the system of slavery, and turn against the rebels its productive power; that by striking down the system of compulsory labor, the rebellion would die of itself. The President, as we have seen, had already done this, and Congress had sanctioned it.

In January, a bill passed the House, authorizing the President to enrol into the land and naval service such number of volunteers of *African* descent as he might deem useful to suppress the rebellion, for such term as he might prescribe, not to exceed five years. The bill provided that the slaves of loyal citizens from that portion of the Union not included in the proclamation of emancipation, should not be received into the armed service, nor should there be recruiting offices opened in either of the States of Delaware, Maryland, West Virginia, Kentucky, Tennessee, or Missouri, without consent

of the Governors of those States. In the Senate, the bill was referred to the Committee on Military Affairs, who reported it back, recommending that it do not pass, on the ground that the President already had the power proposed to be conferred by the bill. Up to January 1863, the vast armies of the Republic had been raised by volunteering, stimulated by patriotism, and aided also by Government and local bounties. Under the first call for 75,000 men, there had been furnished 93,000 and a fraction. Under the act of July, 1861, authorizing 500,000, there had been furnished 671,419 three years men. Under the call of July, 1862, there was furnished 430,201, and under the call of August 4th, 1862, 87,558 men. In addition to these, were the accessions to the regular army, and men who volunteered for shorter periods. In January, 1863, as the magnitude and duration of the war became fully developed, the conviction became general that the efficiency of the military power would be increased by placing at the control of the Government, the entire military force of the nation. Thus far, the ranks had been filled by the patriotic and generous, while many of the selfish, although enjoying all the benefits of the Government, shirked ignobly from making any sacrifices for its preservation. It was felt to be nothing but justice, that all who enjoyed the blessings of the Government, and who were fit for military service, should be made to contribute to its maintenance.

In January 1863, Senator Wilson, the able and efficient Chairman of the Military Committee of the Senate, reported a bill providing that all able bodied male citizens of the United Sates, and those of foreign birth, who had declared their intentions to become citizens, between the ages of eighteen and forty-five, should constitute the National forces, and be liable to military duty at the call of the President. From such call were exempted, as the bill finally passed, the Vice President, the Judges, Heads of " Departments of the Government, and the Governors of the several States; also the only son liable to military service of a widow dependent upon his labor for support; also the only son of an aged or infirm parent or parents, dependent upon his labor for support; also where there are two or more sons of aged or infirm parents subject

to draft, the father, or if he be dead, the mother may elect which son shall be exempt; also the only brother of children not twelve years old, having neither father nor mother dependent upon his labor for support; also the father of motherless children under twelve years of age, dependent upon his labor for support; also where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians or privates, the residue of such family; provided that no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces. It divided the force into two classes: First, Those between twenty and thirty-five, and all unmarried persons above thirty-five and under forty-five: Second, All others liable to military duty. It divided the country into districts, in each of which, an enrollment board was established. The persons enrolled were made subject to be called into the military service at any time for two years from July 1st, 1863, and continue in service for three years. A drafted person was allowed to furnish an acceptable substitute, or on payment of $300 be discharged from further liability under that draft. Persons drafted failing to report, were to be considered deserters. All persons drafted were to be assigned by the President to military duty in such corps, regiments, or branches of the service as the exigencies of the service may require." *

This act passed March 3d, 1863. Nearly one year earlier, in April 1862, the Confederate Congress had passed a conscription bill, placing at the service of the President of the Confederate States for three years, unless the war should sooner cease, "all white men between 18 and 45 years of age."

Senator Wilson, Chairman of the Committee on Military Affairs, urged the passage of the bill on these grounds: †

"The old regiments hardly average now more than four hundred men in the field fit for the stern duties of war. Many who rallied at the call of their country, and who followed its flag with unswerving devotion, now sleep in bloody graves, or linger in hospitals, or, bending beneath disease

* McPherson's Hist., p. 115–116.
† Encyclopedia, 1863, p. 278.

and wounds, can no longer fill the ranks of our legions in camp or on the battle-field. If we mean to maintain the supremacy of the Constitution and the laws, if we mean to preserve the unity of the Republic, if we mean that America shall live and have a position and name among the nations, we must fill the broken and thinned ranks of our wasted battalions.

"The issue is now clearly presented to the country for the acceptance or rejection of the American people—an inglorious peace, with a dismembered Union and a broken Nation on the one hand, *or war,* fought out until the rebellion is crushed beneath its iron heel. Patriotism as well as freedom, humanity and religion, accepts the bloody issues of war, rather than peace purchased with the dismemberment of the Republic, and the death of the Nation.

"If we accept peace, disunion, death, then we may speedily summon home again our armies; if we accept war, until the flag of the Republic waves over every foot of our united country, then we must see to it that the ranks of our armies, broken by toil, disease, and death, are filled again with the health and vigor of life. To fill the thinned ranks of our battalions, we must again call upon the people. The immense numbers already summoned to the field, the scarcity and high rewards of labor, press upon all of us the conviction that the ranks of our wasted regiments cannot be filled again by the old system of volunteering. If volunteers will not respond to the call of the country, then we must resort to the involuntary system."

It will be observed that by the provisions of this law, all able bodied citizens, *black* as well as white, were liable to be enrolled into the service of the United States. This bill coming down to the House after the middle of February, and Congress expiring on the 4th of March, the opposition entertained strong hopes of defeating its passage.

Mr. Olin, Chairman of the Committee on Military Affairs, urging the early passage of the bill, said:

"It is the first time in the history of the Republic that Congress has been called upon to exercise that power given by the Constitution, 'to raise and support armies,' in the true and proper sense of the grant. Heretofore the soldiers of the Republic have voluntarily entered the service, or have done so in pursuance of a call made upon the Governors of the several States, either voluntarily or by constraint of State laws. This is the first attempted exercise of that great power, *more than all*

others, the index of our Nationality, to compel all our citizens to devote their lives to sustain, defend, and perpetuate the life of the Republic."*

Mr. Bingham of Ohio said, in reply to those who opposed the bill because it gave the power to Provost Marshals to arrest those opposing the enrollment and draft, and alluding to the arrest of a person in Ohio:

"I remember well, Mr. Speaker—who does not remember? that about the time that arrest was made in Ohio, for seven long days, a battle raged before Richmond. During that protracted struggle, while that field of conflict was covered with the thick darkness of battle and the shadow of death, and in all the loyal homes of our people hands were raised in silent prayer for the Republic and its defenders, a cry came up from the banks of the York and the James rivers, '*Help! help! help! brothers of the free North and West, or we perish, and our banner of glory and of beauty goes down before the armed legions of treason.*" In response to that call, the people rushed to the conflict, from the hills of New England to the golden sands of California, filling the continent with their shout,

> 'We are coming, we are coming,
> Six hundred thousand more;

"It was in the presence of this sublime uprising of the freemen of this land, for the defense of their homes and country, and the rescue from an unequal struggle of your gallant army, that a partizan in Ohio, it is said, dared to outrage and disgrace humanity by saying to his neighbors, 'stop, brother Democrats, stay at home and vote; and let the army of the Union perish.' It is said that man was arrested by order of the President."†

Mr. Cox moved to insert "white" so as to limit the bill to white citizens. This was rejected.

Mr. Sargent of California, urging the passage of the bill, said:

"It must be admitted that the successful raising of armies by the rebels has been accomplished by the conscription principle. By no other could they have kept full half a million men in arms,—so large a proportion of their available population. As we must fight, we must begin to fight upon effective principles. We must gird

* Vol. 47. Congressional Globe. p. 1214.
† Vol. 47 Congressional Globe, page 1229.

up the loins of the nation for a conclusive struggle. The enemy have made their last effort. It is now with them a question of endurance. If they can keep us at bay until our present enlisted men are discharged which the expiration of their short term of enlistment, and their allies in the North can defeat the re-filling of our armies, they have gained their purposes, and the Union is dissolved."*

Mr. Dunn of Indiana said:

"A draft is the cheapest, fairest and best mode of raising troops. It is to be regretted this mode was not adopted at first. Then all would have shared alike in the perils and glories of war. Every family would have been represented in the field, and every soldier would have had sympathy and support from his friends at home. The passage of this bill will give evidence to the rebels that the nation is summoning all its energies to the conflict, and it will be proof to foreign nations that we are preparing to meet promptly any intermeddling in our domestic strife. The government has a right in war to command the services of its citizens, whom it protects, in war as well as in peace. We as legislators must not shrink from the discharge of our high responsibility. This Congress will be memorable in the annals of our country and the history of the world. 'The fiery trials through which we are passing will light us down in honor or dishonor to the latest generation.' If we cannot 'escape history,' let us make our record right, and display that patriotism, wisdom and energy which history cannot fail to commend."

Judge Thomas of Massachusetts, a gentleman of the highest and purest character, and of conservative associations, as much in sympathy with the opposition as with the Administration, thus rebuked the democratic party for its efforts to discourage volunteering:

"But, sir, it is a fact not to be disputed, that for the last six or nine months a whole party, a strong party, has deliberately entered into a combination to discourage, to prevent, and so far as in it lay, to prohibit the volunteering of the people of the country as soldiers in our army. Members of that party have gone from house to house, from town to town, and from city to city, urging their brethren not to enlist in the armies of the nation, and giving them all sorts of reasons for that advice. One of these reasons is, that it was an abolition war; that it was 'a war for the nigger,' as the slang phrase is.

* Vol. 47 Congressional Globe, page 1220.

"Mr. Speaker, this is a terrible bill; terrible in the powers it confers upon the executive; terrible in the duty and the burden it imposes upon the citizen. I meet the suggestion by one as obvious and cogent, and that is that the exigency is a terrible one, and calls for all the powers with which the Government is invested. Some of the features of the bill my judgment condemns, unhesitatingly condemns.

"I do not rest the power of Congress to pass this bill upon the provisions of the Constitution in relation to the militia. I put it upon the simple and clear provision which gives to Congress the power to raise and support armies, and upon the absence of any provision of the Constitution which limits or restricts that power. In the nature of things there can be no such limitation. I repeat what at an early day I asserted upon this floor, that there is not a human being within the tertory of the United States, black or white, bond or free, whom this Government is not capable of taking in its right hand and using for its military services whenever the defense of the country requires, and of this Congress alone must judge. The question of use is a question of policy only. * * * * * * * * * *

"They, the people, will submit to it. In view of the infinite interests at stake in this great controversy; in the solemn conviction that there is to-day no hope of peace except in disintegration; that as a nation we must conquer in arms, or perish, they will meet and respond to this imperative call of duty. Such is my hope and trust. Go firmly to the people and present to them the issue. They will understand the terrible exigency in which the country is placed, and they will be true to that country if you show clearly to their comprehension the length and breadth, and height and depth, of that exigency. Mr. Speaker, the issue must be met at all hazards. If the people will not support you, if they will not do this highest act of duty, the days of this republic are numbered, and the end is nigh. Satisfy them that you mean to be true to the Constitution and the Union, and they will be true to you."*

The bill was vehemently opposed by Messrs. Wickliffe, Voorhees, Vallandigham and the leading democrats in Congress.

Perhaps there was nothing finer in the debate in the Senate on the Enrollment Bill, than the rebuke given by Senator McDougal of California to a senator by the name of Turpie, appearing for a short time from Indiana. Turpie, in a turbid and violent speech against the bill, undertook to use the great name of Douglas, as one who would, if living, have opposed the measure. McDougal of California, who was a

* Congressional Globe, 3d session, 37th Congress, page 1289.

scholar, a democrat, and a life-long personal and political friend of Douglas, indignantly replied :

"The Senate was organized for consultation. There was an academy once established, I think on the western coast of Asia Minor, by a great wise old Greek, and he allowed no one to enter into the inner temple until he had been silent for seven years, if I remember the legend rightly. I think, thinking is better than talking.

"I wish to say in reply to the Senator from Indiana particularly, that I somewhat represent the North-west from whence he comes, (McDougal had spent many years in Illinois) I more particularly represent the late senator from Illinois whose name he has used, who was my friend and companion in boyhood days. The sentiments and opinions he has expressed are not the sentiments and opinions that have been expressed by Mr. Douglas."*

Senator Wilson said :

"The Senator from Indiana assumes to speak for the brave men who are fighting under the flag of the country in the land of the rebellion. Sir, that Senator is not commissioned to speak for the men who are fighting the battles of their country. That Senator is entitled to speak for the men of his State who are now quailing beneath the withering scorn and stinging rebukes of the gallant men who have made the battle-fields of Kentucky and Tennessee immortal. The Senator has the brazen effrontery to tell the Senate and the country that our brave soldiers in the field, whose ranks are thinned by the storms of battle and the diseases of camps, will oppose this measure to fill their broken and wasted ranks."†

Senator Kennedy, a type of a class of wealthy men, educated in the interests of slavery, and blinded to its demoralizing tendencies, said in reply :

"Sir, perhaps this is the last time I shall ever address the Senate. My political career is nearly ended; and if it were not in bad taste, I might say that I thank my God for it. I regret that I stand in the midst of the ruins of the Republic. I deplore that I can see no hope from the black, gloomy cloud of convulsion and ruin by which we are surrounded. I claim no particular honor or fame for the part I have acted here in my humble sphere for six years past.

"I think you understand me when I say that I have no heart in

* Vol. 47, Congressional Globe, page 1370.
† Congressional Globe, 3d session, 37th Congress, page 1370.

this contest; I speak to-night as a stricken down man, without either hope or prospect for the future, under the legislation which has marked this Congress for the last two months—a regular organized catalogue, if I may be allowed to call it so, of laws to maintain a purpose and a policy—you will do nothing to restore a fraternal Union."*

It was repeatedly charged in this debate that the Proclammation of Emancipation had a tendency to prevent enlistments, and to demoralize the army.

Senator Grimes of Iowa said: "The proclamation came to us in Iowa while canvassing the State, and it was hailed by the loyal men of all parties as one of the most efficient means of putting down the rebellion. "The soldiers of Iowa," said he, "have hailed it with acclamation." It was at this session that the question whether Congress would assent to the formation of a new State carved off from Virginia, came before Congress for decision.

Some forty counties, a portion of the commonwealth of Virginia, situated south of the Ohio, and in the north-east of the State, refused to recognize the Ordinance of Secession, and sent delegates to a convention which met at Wheeling, on the 11th of June 1861. This convention organized, and took an oath "to support the Constitution of the United States, and the laws made in pursuance thereof, as the supreme law of the land, anything in the ordinance of secession adopted by the Richmond Convention to the contrary notwithstanding."

The convention proceeded to declare vacant, the offices of those adhering to the rebel government, and to organize a State Government, and elected two Senators to represent Virginia in the Senate of the United States. These Senators, Messrs. Willey and Carlisle, were admitted to the seats vacated by Mason and Hunter, the former of whom represented the confederate power in London, and the latter was a member of Jefferson Davis' cabinet.

Ohio under the energetic lead of Governor Dennison, had been very prompt to send troops to aid the loyal men of north-western Virginia in defending themselves against the forces which Virginia sent to crush this loyal insurrection.

* Congressional Globe, 3d session, 37th Congress, page 1374.

The convention in August proceeded to pass an ordinance, establishing a proposed new State called Kanawha. A constitutional convention was called and assembled on the 26th of November, and adopted a constitution for the proposed new State. This constitution was approved by an almost unanimous vote of the people upon whom it was to operate. Thus far the proceedings had been nominally for the State of Virginia. A legislature was elected, consisting of members from that part of the Old Dominion, now recognized as West Virginia, and some few counties on the Potomac, and within the lines of the Union Army. The legislature met on the 1st of May, 1862, and assuming to speak for Virginia, gave its assent to the formation of the new State. This assent, together with an official copy of the constitution which had been adopted, was forwarded to Congress. The Senate had so far recognized the legislature referred to, as to admit the Senators elected by them. So also members of the House of Representatives elected under writs of election issued by Governor Pierpont, the new governor, were admitted to the House of Representatives.

Early in December a bill for the admission of West Virginia having passed the Senate at the 2d session of this Congress, the question came before the House whether it would assent to the formation of the new State, and recognize it as one of the States in the Union. Mr. Colfax, of Indiana, took the lead, in earnestly advocating the admission of the new State. He said:

"I say then that not only the two legislative branches of the government, but that the President of the United States, and the various members of the Cabinet, have, without dissent and without protest, as far as I have heard by any one up to this day, recognized Governor Pierpont and the Wheeling legislature as the rightful authority in Virginia, and it therefore seems to be a settled and concluded question; and the consent of this Legislature to the division of the state is sufficient to bring it within the purview of the constitution. I confess also that I shall welcome it now with peculiar pleasure when I see that her people have provided for the utter extinction of slavery, and when she comes here knocking at our door, with the tiara of freedom upon her brow." *

* Vol. 47, Congressional Globe, part 1, page 43.

Mr. Olin justified the people of West Virginia as follows:

"It was simply a movement of the people without any of the forms of law, when the formation of a State government was attempted by the people of West Virginia. I do not complain of it, much less condemn it; it was a matter of necessity; I applaud them for it; but it was in every sense, as against the State of Virginia, a revolutionary movement, justifiable only by the necessity of the case, and because of the abandonment of every principle of law, duty and obligation, which ought to have bound these secessionists to the Union. The people of Western Virginia were justified by that great "higher law" of self protection, and fidelity to the Union. * * * * *

"In the other branch of Congress they admitted, as the representatives of the State of Virginia, two Senators elected by the Legislature assembled at Wheeling. We have recognized their acts as those of a *defacto* Government of that State. Perhaps it was a necessity. I admit that it was so. I had hoped and still cling to that hope, that the old State of Virginia, with the glorious memories which clustered around her in former years, will yet be an honored member of the Union, clothed, and in her right mind." *

Others opposed the division of the State, and among them the venerable Crittenden of Kentucky. They appealed to the memories of the past, and begged that Virginia might remain as she came from the great hands that formed her, with her boundaries extending from tide water to the Ohio.

Mr. Maynard, one of those loyal men from East Tennessee who remained true to the flag said: †

"I found there in that mountain region one of the loveliest portions of the United States. I found there a people loyal and devoted to your flag, desiring to be formed into a State by themselves, with power to manage their own local and domestic affairs. They spoke with feeling, and with deep entreaty upon this subject. They said as their Representatives have said here, that if you bind them, or, which is the same thing, keep them bound to the dead carcass that lies floating many a rood on the eastern side of the Blue Ridge, their fate for long, long years, if not for generations and ages, is sealed. They begged that they might be disenthralled, and that they might be permitted to go forward in that career of prosperity for which their habits and the peculiar position of their country fit them. I cannot turn a deaf ear to

* Vol. 47 Congressional Globe, part 1, page 45 and 46.
† 3d session, 37th Congress, page 46.

their appeal. Nor do I regard it of grave importance that in some future event, in the reconstruction of this country and the suppression of this rebellion, and the re-establishment of the authority of our Government, the pride of Old Virginia may be wounded by seeing her mountain sons set up as a rival commonwealth. Virginia, in common with the other rebellious regions, has earned it all. She has only herself to thank for her future." *

The venerable Thaddeus Stevens voted for the bill on these grounds:

"I do not desire to be understood as being deluded by the idea that we are admitting this State in pursuance of any provision of the Constitution. I find no such provision that justifies it, and the argument in favor of the constitutionality of it is one got up by those who either honestly entertain, I think, an erroneous opinion, or who desire to justify by a forced construction an act which they have pre-determined to do. By the Constitution, a State may be divided by the consent of the Legislature thereof, and by the consent of Congress admitting the new State into the Union.†

"Now, sir, it is but mockery, in my judgment, to tell me that the Legislature of Virginia has ever consented to this division. There are two hundred thousand out of a million and a quarter of people, who have participated in this proceding. They have held a convention, and they have elected a Legislature in pursuance of a decree of that convention. Before all this was done, the State had a regular organization, a constitution under which that corporation acted. By a convention of a large majority of the people of that State, they changed their constitution, and changed their relations to the Federal Government from that of one of its members to that of secession from it. Now I need not be told that that is treason. I know it. And it is treason in all the individuals who participated in it. But so far as the State municipality or corporation was concerned, it was a valid act, and governed the State. Our Government does not act upon the State. The State as a separate and distinct body, was the State of a majority of the people of Virginia whether rebel or loyal, whether convicts or freemen. The majority of the people of Virginia was the State of Virginia, although individuals had committed treason.

"Now, then, how has that State ever given its consent to this division? A highly respectable, but very small number of the citizens

* Congressional Globe, 3d session, 37th Congress, page 49.
† Congressional Globe, 3d session, 37th Congress, page 50-51.

of Virginia—the people of West Virginia—assembled together, disapproved of the acts of the State of Virginia, and with the utmost self-complacency called themselves Virginia. Now, is it not ridiculous? Is not the very statement of the facts a ludicrous thing to look upon—although a very respectable gentleman, Governor Pierpont, was elected by them Governor of Virginia. He is a most excellent man, and I wish he were the Governor elected by the whole people of Virginia. The State of Virginia therefore has never given its consent to this separation of the State."

Mr. Bingham closed the debate. He said: *

"I hold sir, that the Legislature assembled at Wheeling, then, is the legal Legislature of the State; that it had power to assent to this division of the State of Virginia, and that it is wholly immaterial to us whether a majority of the counties of that State refused by reason of their treason to co-operate in the election of delegates and Senators to that Legislature. On the subject of granting the admission of the proposed State to which that body has assented, it is enough for me to know that there is a sufficient number of loyal men within the limits of the proposed State to maintain the machinery of a State government, and entitle them to Federal representation. That is the only rule heretofore recognized by Congress, in the matter of admitting new States duly organized.

"Under this bill it is provided that no person born in that State after the 4th of July next shall be a slave; that all persons held in slavery within the limits of that State under the age of ten years, shall be free at the age of twenty-one, and all over ten and under twenty-one, at the age of twenty-five years.

"If I could not give liberty to-day to all the slaves in Virginia, I consider it my duty to give liberty ultimately, as this bill does, to nine-tenths of the slaves within that State, and to forbid the increase of slavery therein in the great hereafter."

The bill passed by a large majority. West Virginia complied with its conditions, and, on the 4th day of April, 1863, the President issued his proclamation, proclaiming that the conditions of the law had been complied with, and that West Virginia according to the provisions of the act of Congress, was admitted into the Union on an equal footing with the original States. The State by its Legislature abolished

* Vol. 47 Congressional Globe, part 1, page 58.

and prohibited slavery before the adoption of the constitutional amendment prohibiting it throughout the United States.

The admission to Congress of members elected from seceding states became a grave question for consideration at this session. One or two members from Eastern Tennessee, and Andrew Johnson, senator from that State, continued to hold the seats to which they had been elected.

After the capture of New Orleans by Admiral Farragut, and under the vigorous and wise administration of General Butler, more than 60,000 persons enrolled themselves as citizens of the United States, and took the oath of allegiance. The President appointed a Military Governor of the area embraced within the boundaries of Louisiana. He exercised the civil functions of Governor of that state.

This Provisional or Military Governor directed an election for members of Congress under provisions of the old State Constitution, to be held in the two districts of the city of New Orleans, on the 3d of December 1862. Mr. Flanders in one district received 2,370 votes, and Michael Hahn in the other received 2,799, and all others 2,318. Messrs. Flanders and Hahn received certificates of election from the Military Governor. The elections were held in exact conformity with the laws of Louisiana. On the grave question, since so much discussed, as to what were the rights of the *Executive*, and of *Congress*, in regard to the reconstruction of a seceded State, Mr. Voorhees, a leading democratic member of Congress from Indiana said: *

"I regard it as setting a precedent for future action which will be exceedingly important in its bearing on the destiny of this Government. In other words, I regard it as surrendering to the Executive the branch of the Government to which we belong. In my judgment, the Executive has already usurped the judicial department of this Government by the suspension of the writ of *habeas corpus*. It lacks but the sanction of such a report as the committee has made in this case, to surrender up the legislative department also to the executive. I have no doubt that this House will do it. Step by step, executive encroachment has come upon this country with a rapidity, the like of which

* Vol. 47 Congressional Globe, page 834.

is unknown to history; the like of which has never been seen in any country calling itself free.

"Understand this principle. If the Southern Confederacy is a foreign power, an independent nationality to-day, and you have conquered back the territory of Louisiana, you may then substitute a new system of laws in the place of the laws of that State. You may then supplant her civil institutions by institutions made anew for her by the proper authority of this *Government*—not by the *executive*—but by the *legislative* branch of the Government, assisted by the Executive simply to the extent of signing his name to the bills of legislation. If the chairman of the Committee of Ways and Means (Mr. Stevens) is correct; if the gentleman from Kansas (Mr. Conway) is correct, and this assumed power in the South is a power of the earth, and stands to-day upon equal terms of nationality with ourselves, and we conquer back State by State its territory by the power of arms, then we may govern them independently of their local laws. But if the theory we have been proceeding upon here that this Union is unbroken; that no States have sundered the bonds that bind us together; that no successful disunion has yet taken place,—if that theory is still to prevail in these halls, then this thing cannot be done. You are as much bound to uphold the laws of Louisiana in all their extent and in all their parts, as you are to uphold the laws of Pennsylvania or New York, or any other State whose civil policy has not been disturbed."

Mr. Noell of Missouri said;

"The civil authorities there having abdicated, became a treasonable body, and omitting to perform their functions, it was necessary that the United States should substitute some authority there for the purpose of supplying the performance of those functions, absolutely necessary for the people."

Mr. Bingham said:

"If the people of Louisiana had, under an act of their own Legislature, and by duly constituting officers of an existing State government, organized under the Federal Constitution, held this election, I could not doubt that such election was the lawful act of the loyal people. But, sir, there is no organized constitutional State government in Louisiana, nor was this election held under the law or by the officers of such government of Louisiana, nor under a law of Congress. I therefore repeat my proposition: representatives can be elected to the Federal Legislature only in pursuance of an act of the State Legisla-

ture, or of an act of the Federal Congress. I wish to enquire when there has been any decision under the Government of the United States, legislative or executive or judicial to the contrary?" *

Judge Thomas of Massachusetts said:

"It is not contested in the report of the committee, or in the arguments of the members of the Committee of Elections, who did not sign the report, that the persons who are elected to this House are loyal men. It is not contested that they were elected by loyal citizens of Louisiana. It is not contested that they were elected without military dictation or control. There is nothing developed in the report or in the arguments presented to the House, to show that there was any military dictation or control, or influence in the election. What are the relations which these electors and the persons who claim these seats hold at this moment to the Government of the United States? They are citizens of the United States, subject to all the duties imposed by the Constitution and laws of the United States. They are subject to taxation. They are subject to military service. Some four thousand of loyal residents of New Orleans are already engaged in the military service of the Government.

"Now, Mr. Speaker, before the act of secession these men had all the political rights that are corelative to their political duties. They had the right of representation, which, from the earliest history of this Government, has been indissolubly connected with the right of taxation. Subject in war or peace to all the duties and burdens of the Government, they are entitled to the corresponding rights and privileges that Government had conferred upon them, unless in some legal way deprived of them. The state of Louisiana exists. Its functions may be in abeyance. All the powers of the State exist, and all that is necessary is simply that the machinery of the State shall be put in motion. The State itself is like Milton's angels, which,

'Vital in every part
Cannot but by annihilating die."'

Judge Thomas concluded an earnest appeal in behalf of the admission of the members elect, in these words: †

"The distinguished gentleman from Indiana (Mr. Voorhees) who first spoke upon this subject, averred that there was great danger from

* Vol. 47, Congressional Globe, 3d session, 37th Congress, page 1014.
† Congressional Globe, 3d session, 37th Congress, page 1016.

the admission of these claimants, and, in like cases, that the executive authority of this Government would finally prevail over the rights and powers of this House. The answer to all such suggestions is to be found in the fidelity of this House to its rights, to its powers and to its duties, and without such fidelity there can be no safety. It is in all cases the first and final and only judge of the qualifications, elections, and returns of its members, and so long as it holds that power in its right hand, and exercises it discreetly, firmly, fearlessly, we need have no fear of the Executive.

"I put this case then, upon two or three plain grounds. I put it upon the ground that these men who are asking seats in this House, are loyal citizens of the United States; that they have been elected by the loyal citizens of the United States; that they have been elected at an election which was free; that they were elected by numbers which, compared with other elections, indicate that the people in the districts were in the movement, and that it was had in entire good faith.

"But if on the other hand you expect—as it seems to us every rational man must expect—to reconstruct the Government with the sympathy, co-operation, and aid of the loyal men of these States, then I ask in the name of prudence and of justice, not to shut the door of this House against them. Do not, I beseech you, teach them the terrible lesson that your powers are effective to destroy but not to redeem; to crush but not to save. Meet them at the threshold; welcome and bless them, as they seek once more the shelter of the old homestead."

Michael Hahn, one of the Representatives elect, closed a very effective speech, which secured the personal good will of the House in favor of his admission, in these words:

"And even, sir, within the limits of the dreary and desolated region of the rebellion itself, despair, which has already taken hold of the people, will gain additional power and strength, at the reception of the news that Louisiana sends a message of peace, good-will, and hearty fellowship to the Union. This intelligence will sound more joyfully to patriot ears than all the oft repeated tidings of 'Union victories.' And of all victories, this will be the most glorious, useful and solid, for it speaks of *reorganization*, soon to become the great and difficult problem with which our statesmen will have to familiarize themselves. And when this shall have commenced, we will be able to realize that God, in his infinite mercy has looked down upon our misfortunes, and in a spirit of paternal

love and pity, has addressed us in the language ascribed to him by our own gifted Longfellow:

> I am weary of your quarrels,
> Weary of your wars and bloodshed,
> Weary of your prayers for vengeance,
> Of your wranglings and dissensions.
> All your strength is in your *Union*,
> All your danger is in *discord*,
> Therefore, be at peace, henceforward,
> And as *brothers* live together.

"Mr. Speaker, Louisiana—ever loyal honorable Louisiana—seeks no greater blessing in the future, than to remain a part of this great and glorious Union. She has stood by you in the darkest hours of the rebellion; and she intends ever to stand by you. Sir, raise your eyes to the gorgeous ceilings which ornament this Hall, and look upon her fair and lovely escutcheon. Carefully read the patriotic words which surround her affectionate pelican family, and you will find there inscribed, '*Justice, Union, Confidence.*' Those words have with us no idle meaning; and would to God that other members of this Union could properly appreciate our motto, our motives and our position!

"Reject the Representatives of Louisiana to-day, disfranchize her, withhold her dearest and most cherished right as a State under the Constitution; but if you do that, let not that lovely escutcheon look down upon you with solemn mockery, but remove it from your sight, and tear from yonder glorious emblem of our country's greatness, our bright and shining star.

"Mr. Speaker, instead of diminishing those stars in number, and instead of curtailing the fair proportions of this Union, we in Louisiana are in favor of adding to the number and brilliancy of those stars, and of standing by and maintaining this Union under all circumstances in its integrity, so that all American citizens can proudly and truthfully proclaim in the poetic language of Byron:

> Far as the eye can reach, the billows roam;
> Survey our empire, and behold our home,
> These are our realms, no limit to their sway,
> Our flag, the scepter all who meet, obey.*

After an able argument from Mr. Dawes, the Chairman of the Committee on Elections, the House, by a vote of 92 to 44, admitted the members, and they being sworn took their seats.

The great civil war, the necessity of self-preservation on the part of the Government, called into exercise a class of

* Vol. 47, Congressional Globe, p. 1032.

powers called *war powers;* powers dormant until the exigency arose demanding their exercise, and of the existence of which many of the statesmen of the Republic had been unconscious. The first exercise of these powers was induced by the imperative necessity of self-preservation, and at first without any very clearly defined conception of their extent and boundaries. The American people, educated to a full appreciation of the value of the securities of liberty embodied in English Magna Charta, and still more perfectly in the Constitution of the United States, were ever jealous of the exercise of extraordinary powers. The great safeguards of English and American liberty, freedom of the press, liberty of speech, personal security protected by the writ of *habeas corpus;* an independent Judiciary, a speedy and fair trial by jury, the old time honored principle of English and American law, that no person should be deprived of life, liberty, or property, but by due and impartial process of law and the judgment of his peers; these fundamental principles of a free Government were revered as sacred, and no people were ever more watchful or jealous of encroachments upon them. How far a State of war modified or suspended these great principles, became early the subject of earnest debate and controversy.

The rebels for themselves, and their sympathizers for them, claimed all their Constitutional rights as citizens of the United States while in arms as rebels and public enemies, to overthrow the Constitution. They claimed that while waging war against the United States, they should be treated as possessing at the same time all the rights of belligerents and of citizens. We have seen rebel officers claiming under a flag of truce the return of fugitive slaves, under a provision of the Constitution of the United States.

Such claims were too absurd to be debatable. Mr. Lincoln came to the exercise of these war powers of the Constitution necessary to maintain the Government, slowly, cautiously, and reluctantly. He was reluctant to proclaim martial law, even when conspirators were plotting treason, his own deposition from the office of President, and the overthrow of the Constitution. He suffered the rebels, Breckinridge, Burnett and others, at the special session of July, 1861,

to talk and plot treason in Congress, and go over and join the rebel armies without arrest. But the safety of the Republic finally compelled him to exercise these war powers. He saved Maryland to the Union, and prevented a civil war there, as conceded by Governor Hicks, by causing General McClellan to arrest the Maryland Legislature. He arrested persons known to hold criminal intercourse with the enemy. He caused the writ of *habeas corpus* to be suspended, and declared martial law.

This right to suspend the writ of *habeas corpus* is conferred by the Constitution. It is a dangerous power, but the exercise of it is confined to dangerous times. It can be suspended only "when, in cases of rebellion or invasion, the public safety may require it." Who may decide when the public safety may require it? There is no doubt Congress has this power. Does the Executive also possess it? The exigency and necessity for the exercise of it may arise when Congress is not in session. The discussions in Congress, in the press, and before judicial tribunals, may be regarded as settling the point, that the President may rightfully exercise this power, and that Congress may in its discretion, direct and control the exercise of it.

The subject of arrests for political offences was the occasion of continued attack upon the administration, by the opposition in Congress, during the years 1861–2, and 3. The case of Vallandigham was widely discussed. He was a member of Congress from Ohio, bold, able and aggressive. He was arrested by order of General Burnside, for the utterance of alleged treasonable language, and discouraging volunteering for the army, and thereby aiding and abetting the enemy. His counsel applied to Judge Leavett, United States District Judge of Ohio, for a writ of *Habeas Corpus*, which was refused. It is worthy of remark, that both the General who ordered the arrest, and the Judge who refused the writ were democrats. He was tried before a Court Martial, and sentenced to imprisonment during the war. Meetings were held in several places, and resolutions passed denouncing the arrest as an infringement of the rights of the citizen. The most

imposing of these meetings was the one held at Albany, under the auspices of Governor Seymour, and presided over by Erastus Corning, a prominent Democratic member of Congress. The proceedings of this meeting were laid before the President, and he deemed them of sufficient importance to make to them an elaborate reply.

President Lincoln thus stated the necessity of preventive arrests:

"Of how little value the Constitutional provisions I have quoted will be rendered, if arrests shall never be made until defined crimes shall have been committed, may be illustrated by a few notable examples. General John C. Breckinridge, General Robert E. Lee, General Joseph E. Johnston, General John B. Magruder, General William B. Preston, General Simon B. Buckner, and Commodore Franklin Buchanan, now occupying the very highest places in the rebel war service, were all within the power of the Government since the rebellion began, and were nearly as well known to be traitors then as now. Unquestionably, if we had seized and held them, the insurgent cause would be much weaker. But no one of them had then committed any crime defined in the law. Every one of them, if arrested, would have been discharged on *Habeas Corpus*, were the writ allowed to operate. In view of these and similar cases, I think the time not unlikely to come when I shall be blamed for having made too few arrests, rather than too many.

"By the third resolution the meeting indicate their opinion, that military arrests may be Constitutional in localities where rebellion actually exists, but that such arrests are unconstitutional in localities where rebellion or insurrection does not actually exist. They insist that such arrests shall not be made 'outside of the line of necessary military occupation, and the scenes of insurrection.' Inasmuch, however, as the Constitution itself makes no such distinction, I am unable to believe that there is any such Constitutional distinction. I concede that the class of arrests complained of can be Constitutional only when in cases of rebellion or invasion, the public safety may require them; and I insist that in such cases they are Constitutional *wherever* the public safety does require them; as well in places to which they may prevent the rebellion extending, as in those where it may be already prevailing; as well where they may restrain mischievous interference with the raising and supplying of armies to suppress the rebellion, as where the rebellion may actually be; as well where they may restrain the enticing men out of the army, as where they would prevent mutiny in the army;

equally Constitutional at all places where they will conduce to the public safety, as against the dangers of rebellion or invasion." *

He puts the case very strongly of preventing men from inducing desertion. He says:

"Must I shoot a simple minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? This is none the less injurious when effected by getting a father, a brother, or friend into a public meeting, and there working on his feelings till he is persuaded to write the soldier boy that he is fighting in a bad cause, for a wicked administration of a contemptible Government, too weak to arrest and punish him if he shall desert. I think that, in such a case to silence the agitator and save the boy, is not only Constitutional, but withal, a great mercy." †

He concludes a very able defence of his course, by saying, that in his own discretion he did not know whether he would have caused the arrest of Vallandigham; but while he would not shift the responsibility, he yet held that the Commander in the field was the better judge of the necessity of the arrest.

To a delegation from Ohio, urging the release of Vallandigham, Mr. Lincoln said:

"The earnestness with which you insist that persons can only, in times of rebellion, be lawfully dealt with, in accordance with the rules for criminal trials and punishments in times of peace, induces me to add a word to what I said on that point in the Albany response. You claim that men may, if they choose, embarrass those whose duty it is to combat a giant rebellion, and then be dealt with only in turn, as if there were no rebellion. The Constitution itself rejects this view. The military arrests and detentions which have been made, including those of Mr. Vallandigham, which are not different in principle from the other, have been for *prevention* and not for *punishment;* as injunctions to stay injury; as proceedings to keep the peace — and hence, like proceedings in such cases and for like reasons, they have not been accompanied with indictments or trials by juries, nor in a single case by any punishment whatever, beyond what is purely incidental to the prevention." ‡

* McPherson's History, p. 165.
† McPherson's History, p. 166.
‡ McPherson's History, p. 171.

After a very full and learned discussion, both in the Senate and the House, a bill became a law, on the 3d of March, 1863, authorizing the President, whenever, during the existing rebellion, in his judgment, the public safety might require it, to suspend the writ of *habeas corpus*, throughout the United States, or any part thereof. The bill further provided that the orders issued by the President, or under his authority, made at any time during the rebellion, should be a defense to any action civil or criminal, for any search, arrest, or imprisonment under such order, or under color of any law of Congress.

The Thirty-seventh Congress, most of the members of the lower House of which had been elected on the same ticket with Mr. Lincoln, drew to its close. It had been generally in close sympathy with him during its existence. It had unhesitatingly conferred upon him all the power asked for, to enable him to crush the rebellion. It never withheld any grant of men or money. It placed at the disposal of the Executive the resources of the country. In this connection it is due to the truth of history to say, that in regard to the mode of raising troops, and the money to pay them, it followed the suggestions of the President, Secretary Chase, and the Secretaries of War and the Navy, rather than originated measures.

Upon the great question of the manner in which the war was conducted, Congress was impatient. It chafed under the long delays and slow and indecisive movements of McClellan. Upon the engrossing subject of slavery it reflected the feelings of the loyal masses of the American people. It early indicated its disposition to confiscate the property, and free the slaves of rebels. In abolishing slavery at the National Capital, and prohibiting it in all the territories, it prepared the way for the proclamation of freedom. A majority acted upon the profound conviction that through the death of slavery would come the regeneration and restoration of the Republic. It encouraged and directed the employment of colored soldiers, and held out as a reward for their valor, the liberty of themselves and their race.

The Pacific Railroad and the Homestead bills were among the great measures of this Congress, not directly connected with the war.

Mr. Speaker Grow, in adjourning this Congress *sine die*, took occasion, briefly to review the eventful days of its life. He said:

"We met as legislators of the Republic, on the threshhold of its most important era. Its sunshine of almost half a century was for the first time darkened with clouds. Grim-visaged war stalked through the land, which it has since drenched with blood.

"While grappling in a death struggle with this hydra-headed monster of civil discord, you have by your labors contributed not a little to the advancement of the industrial interests and promotion of the greatness and glory of the country. Few Congresses, if any, will hold a prouder position in its future. Though we separate with darkness lowering over the horizon, behind the clouds is the sun still shining. It seems to be a part of the plans of divine Providence, that every marked advance in civilization must begin amid the carnage of the battle-field. Over the Marathons and through the Thermopylaes of the world's history, liberty has hewn out her victories, and the race has marched on to higher and nobler destinies.

"As the lightnings of Heaven rend and destroy, only to purify and invigorate, so freedom's cannon furrows the fields of decaying empires, and seeds them anew with human gore, from which springs a more vigorous race, to guard the hopes and cherish the rights of mankind. The boom of cannon on the plains of Lexington shook a continent, and bore an obscure militia Colonel from the shades of Mt. Vernon to the highest pinnacle of earthy glory, to stand forever on that proud pedestal, peerless among men; while it called Stark from his granite hills, Putnam from his plow, and Greene from his blacksmith's forge, to immortal fame.

"The iron hail beating on the walls of Sumter, again shakes a continent, and the genius of history is recording the names of those born not to die. The country's martyrs in this hour of its trial will live forever. Their tombs will be the hearts of the great and good of all time; their monuments the granite hills of a nation rejoicing in freedom. Whether the night of our adversity is to be long or short, there can be no doubt of the final dawn of a glorious day; for such is the physical geography of the continent, that between the Gulf and the Lakes there can be but one Nationality. No matter what changes may be wrought in its social organization, its territorial limits will continue the same. The

traditions of the past and the hopes of the future have crystalized in the American heart the fixed resolve of 'one Union, one country, and one destiny,' from ocean to ocean. No human power can change that destiny, any more than it can stay the tide of the Father of waters as it rolls from the mountains to the sea:

> Freedom's battle once begun,
> Bequeathed from bleeding sire to son,
> Though baffled oft, is ever won.

"Better one war, though it cost countless lives and untold treasure, than a dismembered Union, with its endless border conflicts, and final anarchy and ruin. If the people between the Gulf and the Lakes cannot live together in peace as one Nation, they certainly cannot as two. This war then must, in the nature of things, be prosecuted till the last armed rebel is subdued, and the flag of our fathers is respected on every foot of American soil." *

* Congressional Globe, 3d Sess. 37 Congress, vol. 47, p. 1552-3.

CHAPTER XVIII.

THE CAMPAIGNS OF 1863—VICKSBURG—GETTYSBURG.

PLAN OF THE CAMPAIGN—THE OPENING OF THE MISSISSIPPI—ARKANSAS POST—GRANT'S CAMPAIGN AGAINST VICKSBURG—GRIERSON'S RAID—PORT HUDSON—CHANCELLORVILLE—LEE INVADES MARYLAND—MEADE—GETTYSBURG—THE GETTYSBURG CEMETERY—EVERETT'S ORATION—LINCOLN'S ADDRESS.

AGAIN the drama shifts to the fields of contending armies, and we now approach the turning point in the great Civil War. Up to 1863, although there had been vast expenditures of treasure and of blood, and great successes had been obtained and progress made, yet there had been such severe repulses and grievous disasters experienced by the Union armies, that the hopes of the insurgents of final success were still confident. All the great victories in the West and South West had not opened the Mississippi. In the East, the disastrous campaigns of McClellan and Pope had been followed by the fearfully costly repulse at Fredericksburg.

It is worthy of profound reflection, that not until the President had proclaimed emancipation, and written liberty upon our banners, were those banners crowned with decisive success. The proclamation issued January 1863, was the day from which success became a certainty. It was well known to those intimate with Mr. Lincoln, that he regarded the opening of the Mississippi as the blow which would make certain the ultimate triumph of the Union arms. Like the great soldier, General Sherman, he regarded the possession of the Mississippi river as the possession of America. So long as the insurgents held this great water communication, they were not and could not be subjugated.

Those familiar with the President knew, that to gain possession of this river had, from the beginning, received his most careful consideration.

The campaigns in the West—the movements against forts Henry and Donelson had been planned by him, and he was determined that another season should not pass without the rebel States being cut in two by the Union army, and the Mississippi cleared of every hostile flag. We have seen how comprehensive the view he had taken of the physical necessity of the Union, as expressed in his annual message in December 1862, when he declared that the territory of the United States was adapted to be the home of "one National family, and no more." He often dwelt upon these views, and declared that as between the great Lakes and the Gulf there were no natural boundaries; but on the contrary, the configuration of the country rendered disunion impracticable. The navigable streams, from the imperial Hudson to the continental Mississippi ran from North to South. Such, too, were the ranges of the mountains. These considerations made National unity "manifest destiny." These causes made unity so convenient, nay, so necessary, that it would be impossible to separate the North from the South. Civilization and its wants and necessities had riveted what nature had united. Railroads, and canals, and post roads, the electric telegraph with its connecting wires, had doubly bound our wide territory together.

That impartial history which shall be written when all the partialities and prejudices of the day have passed away, will record without disparagement to other sections, that the Union was saved by the North West. The great river of the republic with its State embracing arms, tributaries extending to New York, Pennsylvania, Ohio, Kentucky, Tennessee, Mississippi, Indiana, Illinois, and Wisconsin, on the one side, and Minnesota, Iowa, Kansas, Missouri, Arkansas, Louisiana and Texas on the other, were strong enough to hold the Union together. The North West never for one moment faltered in the struggle. In the dark hours of the contest, had the President or the North West faltered, all would have been lost.

The rain which falls upon that great basin south of the

Lakes, and between the western slope of the Alleghanies and the Rocky mountains, in extent an Empire, finds its way by tributaries, numerous and vast, into the great Father of Waters, and through its channels to the Gulf, and by the Gulf to the Sea. Through these vast natural channels which God created, and thereby made unity a necessity, the North west would follow with travel and trade, not under treaty, but by indefeasible right, freely, under the same flag. Woe to those who should seek to erect barriers or throw obstacles in the way.

With these views the President and his military advisers planned the campaign of 1863. To open the Mississippi by taking Vicksburg was the great objective point of the campaign. Mr. Lincoln, during every period of the war, was fully possessed of every important movement. He knew fully the condition of every army, and had a most intelligent appreciation of the difficulties to be encountered, and the chances of success. His room was ever full of maps and plans ; and he marked upon them every movement, and no subordinate was at all times so completely the master of the situation as the Commander in Chief. Mr. Lincoln selected General Grant to lead what he meant should be, and what was, the decisive campaign in the West. There were those who at that time charged General Grant with habits of intoxication, and sought to shake the confidence of the President in him. "If Grant is a drunkard," said he, in reply, "I wish some of my other generals would learn where he buys his liquor."

As the year opened, the President had settled upon two great objective points in his plans of the campaign. First as stated to get complete possession of the Mississippi river and open its navigation, and thus utilize the capture of New Orleans, cutting off the rebel communication with the trans-Mississippi department, and severing the so-called Confederacy, into two parts. Second, to destroy the army of Virginia, and sieze upon the rebel Capital. Let us first follow the standard of Grant in his most difficult enterprise against Vicksburg. General John A. McClernand of Illinois had, in a written communication, early suggested the Miss-

issippi campaign, including the capture of Vicksburg, and urged it upon the Government. He had had repeated personal interviews with the President on the subject, and Mr. Lincoln fully appreciated his views, and seconded his purposes.

In January 1863, the army of the Mississippi, under the commands of Generals McClernand and Sherman, acting in conjunction with the fleet under command of Rear Admiral Porter, captured Arkansas Post. This was a brilliant opening of the campaign, and the fruits of the victory were 7,000 prisoners, 8,000 stand of arms, and a large amount of cannon, ordinance and stores. On the 18th of January General Grant went up White River, and held a consultation with Admiral Porter and Generals McClernand and Sherman.

On the 2d of February General Grant arrived in the vicinity of Vicksburg, and assumed command in person. The attack under General Sherman in 1862 had demonstrated the strength of the defensive works of Vicksburg on the North. To get his army below the city, and in its rear, was the immediate object of General Grant. Various means were resorted to. An attempt was renewed to cut a new channel across the bend in front of Vicksburg. This proved a failure. The vicinity of this stronghold, above the city, in its rear, and upon the Louisiana shore, was a net work of bayous, lakes, ponds, and old channels of streams. General Grant spent several weeks in trying to cut and clear out a channel, by which he could, with the fleet and transports, pass around Vicksburg. Some effort was made to cut an opening through the Yazoo pass on the east side of the Mississippi. In these efforts even the persistent Grant was baffled.

A most daring attempt was made in February by Colonel Charles E. Ellet, in the wooden steamer Queen of the West, fitted up as a ram and protected by cotton bales, to destroy the rebel steamer City of Vicksburg, and to run the batteries of the city. He succeeded in striking, but not fatally, the rebel steamer, and demonstrated the practicability of running the batteries by transports. The Queen of the West went down the river, capturing boats and supplies; entering

Red river, she continued her successes, until, on her return, she ran aground and was abandoned by her gallant and enterprising commander. Meanwhile, the persistent and indefatigable Grant was exploring every pass, bayou, lake and water course, with a view of finding a passage below Vicksburg, so as to approach it from the ridge in the rear.

After being often baffled, but never disheartened, General Grant commenced preparations for running his transports and the gunboat fleet below the frowning batteries of Vicksburg. A large fleet of iron-clad gunboats and transports were prepared, protected as far as possible by cotton bales, hay, railroad iron, timber and chains. The night of the 16th of April was selected for the attempt. Everything was in readiness before dark. The plan was that the iron clads should pass down in single file—with intervals between them, and when opposite the batteries should engage them, and then that, under cover of smoke, the transports should endeavor to pass.

The country had been growing impatient of the long delays at Vicksburg.* The cutting of the canals and the

* For a description of the scene which followed, and the brilliant and rapid progress of Grant, to the complete investment and final capture of Vicksburg, I am much indebted to Mr. Washburne, at present the oldest member of the House of Representatives, who was ever the staunch and true friend and defender of General Grant, from the time he left his home at Galena, Illinois, to aid in the organization of the Illinois Volunteers, until he fought his way up to the position of Lieutenat General of the armies of the United States, and until he received the final capitulation of Lee. See Washburne's speech in Congress, February 1, 1864, volume 50, Congressional Globe, page 427, from which I make the following extracts:

"It was my good fortune to be with General Grant, and with that noble army, every man of whom is a hero, at the commencement of the expedition which culminated in the taking of Vicksburg. We all know how ill at ease the public mind was last winter, pending General Grant's operations on the lower Mississippi. The expedition by Grenada, the opening of the canal, the opening of the bayous had not succeeded. The country saw all the attempts to flank that stronghold likely to prove abortive, and there was great anxiety. But with unshaken confidence in himself, General Grant pursued the even tenor of his way, and with entire reliance upon the success in the plan finally adopted, and which could not be undertaken until the river and bayous should sufficiently recede to enable him to move. Then, sir, was seen that bold and daring conception which I say is without parallel in all military history. It was to send his army and his transportation by land on the Louisiana side from Milliken's Bend to a point below Vicksburg, and then run the frowning batteries of that rebel Gibraltar, with its hundreds of guns, with his transports, and thus enable him to cross the river below Vicksburg, and get on to

opening of the bayous had proved failures. All the attempts thus far to flank the stronghold seemed likely to prove abortive, and great anxiety existed in the public mind. After all these failures, Grant, with a persistence which has marked his whole career, conceived a plan without parallel in military history for its boldness and daring. This was to march his army and send his transportation by land on the Louisiana side of the Mississippi, from Milliken's Bend to a point below Vicksburg, and then to run the bristling batteries of that rebel Gibraltar, exposed to its hundreds of heavy guns, with his transports, and then to cross the Mississippi below Vicksburg, and returning, attack that city in the rear.

The crews of the frail Mississippi steamers used as transports, conscious of the hazardous service, with one exception, refused to go. Volunteers were called for by General Grant, and no sooner was the call made, than from the noble army

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the Mississippi side. The country was startled at the success which attended the running of those batteries by the frail Mississippi steamboats used as transports, and the rebels stood aghast when they saw seven or eight transports and all of Porter's gunboats below Vicksburg.

"And that which must ever be regarded by the historian as the most extraordinary feature of this campaign is the astounding fact that, when General Grant landed in the State of Mississippi, and made his campaign in the enemy's country, he had a smaller force than the enemy. There he was in the enemy's country, cut off in a measure from his supplies, with a great river in his rear, and in one of the most defensible of countries through which he had to pass. To his indomitable courage and energy, to his unparalleled celerity of movement, striking the enemy in detail, and beating him on every field, is the country indebted to those wonderful successes of that compaign which have not only challenged the gratitude and admiration of our own countrymen, but the admiration of the best military men of all nations. My colleague, Mr. Farnsworth, has well said that General Grant is no "carpet knight." If gentlemen could know him as I know him, and as his soldiers know him, they would not be so reluctant about conferring this honor. If they could have seen him as I saw him on that expedition; if they could have witnessed his terrible earnestness, his devotion to duty, his care, his vigilance, and his unchallenged courage, I think their opposition to this bill would give way.

"When he left his headquarters at 'Smith's Plantation' below Vicksburg, to enter on the great campaign, he did not take with him the trappings and paraphernalia so common to military men. As all depended upon quickness of movement, and as it was important to be encumbered with as little baggage as possible, he set an example to all under him. He took with him neither a horse, nor an orderly, nor a servant, a camp-chest, an overcoat, nor a blanket, nor even a clean shirt. His entire baggage for six days—I was with him at that time—was a *tooth brush*. He fared like the commonest soldier in his command, partaking of his rations, and sleeping upon the ground, with no covering excepting the canopy of heaven. How could such a soldier fail to inspire confidence in an army, and to lead it to victory and to glory? Confer upon him the rank contemplated by this bill, and you excite the enthusiasm of all your armies, and all your soldiers will be eager to follow his victorious banners."

of the west, pilots, engineers, firemen and deck-hands offered themselves for the dangerous adventure in such numbers, that it became necessary to select those needed from the crowd of volunteers by lot. Such was the generous emulation among the soldiers to participate in the dangerous service, that one Illinois boy who had drawn the coveted privilege of exposing his life was offered one hundred dollars in greenbacks for his chance; but he refused to take it, and held his post of honor.

Ten o'clock at night was the hour at which the fleet was to start. At that hour the camps of the Union army were hushed into silence, watching with intense anxiety the result. All was obscurity and silence in front of the city. Soon an indistinct, shadowy mass was seen, dimly, noiselessly floating down the river. It was the flag-ship, the iron clad Benton. It passed on into the darkness, and another, and another followed, until ten black masses, looking like spectral steamers, came out of the darkness, passed by, and disappeared down the river. No sound disturbed the stillness. Every eye was fixed on the space in front of the city. Every ear intent, expecting every moment to see the gleam and flash of powder and fire, and hear the thunders of cannon. For three-quarters of an hour the silence was unbroken, when first came a sharp line of light from the extreme right of the batteries, and in an instant after the whole length of the bluffs was one blaze of fire, and roll of crashing thunder. The light exhibited the fleet squarely in front of the city; and immediately its heavy guns were heard in reply, firing directly upon the city. Clouds of smoke enveloped the gunboats, and then the transports putting on full steam, plunged down the river. The batteries were passed in an hour and a quarter; and although some of the transports were injured and one set on fire, no person on either of the transports was killed; and General Grant immediately prepared and sent the remaining transports. Meanwhile, the army marched around and struck the river below Vicksburg, nearly opposite Grand Gulf. This was a strong position on the east bank of the Mississippi, below the mouth of the Big Black. It was hoped that Admiral Porter with the gunboats could re-

duce the batteries at Grand Gulf, after which the troops would be taken over in the transports, and carry the place by assault. But after nearly five hours bombardment, Admiral Porter drew off his fleet. Grant, after consulting with Porter, adopted a new expedient: this was to march his troops three miles below Grand Gulf, and after night the transports were to run these batteries, as they had done those of Vicksburg. When darkness came, Porter renewed the attack with his gunboats; and amidst the thunder and smoke of this attack, the transports went safely by, and reaching the camps below, as they approached, cheered the soldiers by responding "all's well" to their anxious inquiries. In the morning they were in readiness to transfer the army to the long coveted position below Vicksburg.

Early the next morning General Grant, on the Benton, led the way to a landing for his eager army. Going ashore at Bruinsburg, he found faithful and intelligent negroes to guide him in the important movements which were now to be made. Instantly the debarkation of the troops commenced, and the line of march was taken up towards Port Gibson. Before two o'clock the next morning, May 1, 1863, the enemy was encountered, and the battle of Port Gibson was fought, the first of the series of battles and victories resulting in the investment and capture of Vicksburg. The attitude of Grant was certainly a bold one. He was in the enemy's country, a fortified city above him, a fortified city below him, a large army gathering under Johnson to assail him and relieve Vicksburg, with another large army to protect and garrison its fortifications. Celerity was of the highest importance. No better troops ever met an enemy than those he commanded; and he was most ably seconded by Sherman, McClernand, McPherson, Logan, Blair, Osterhaus and others.

To the indomitable will, energy and activity of Grant, striking the enemy in detail, beating him in every field, giving him no time for concentration, is the country indebted for these wonderful successes, which have not been surpassed by any achievement in military history. General Grant seemed fully conscious that success in this, the boldest movement of the war, depended upon striking quick and rapid blows,

and hence he himself set the example of taking no baggage. He took neither horse nor servant, nor camp chest, nor overcoat, nor blanket; his entire personal baggage, according to Washburne, who accompanied him during the six eventful and decisive days from his landing, was a *tooth brush*. During this time his fare was the common soldier's rations, his bed the ground, with no covering but the sky.

The victory at Port Gibson was so important that General Grant issued a general order thanking his soldiers, and in a few spirited words advised them that more difficulties and privations were before them, but calling upon them to endure them manfully. "Other battles," said he, "are to be fought; let us fight them bravely. A grateful country will rejoice at our success, and history will record it with immortal honor." Moving rapidly to the North, General Grant interposed his forces between the army of Johnston seeking to relieve Vicksburg, and the garrison under Pemberton, seeking a junction with Johnston. Then followed the rapid marches, brilliant with gallant charges and deeds of heroic valor, winning victories in quick succession, at Raymond on the 12th, at Jackson, the Capital of Mississippi, on the 14th, at Baker's Creek and Champion Hills on the 16th, and at the Big Black river on the 17th, and finally closing with driving the enemy into his works at Vicksburg, and with the aid of Admiral Porter and the gunboats, completely investing the city. And now, on the 19th of May, Grant and his army were before the stronghold. Jefferson Davis, conscious of the importance of this position, had implored every man who could do so, to march to Vicksburg. General Grant now determined to take the city by assault. On the 22d of May, the attack was most gallantly made. The assaulting columns moved promptly and steadily upon the rebel works, and stood for hours under a withering fire, and failed only because the position could not be taken by storm.

Then with tireless energy, with sleepless vigilance night and day, with battery and rifle, with trench and mine, the army made its approaches, until the enemy, worn out with fatigue, exhausted of food and amunition, and driven to despair, finally laid down their arms.

On the 3d of July, General Grant received a communication from Lieutenant General Pemberton, commanding the rebel forces, proposing an armistice, and commissioners to arrange terms of capitulation The correspondence resulted in the surrender of the city and garrison of Vicksburg on the 4th of July, 1863. This capture and the preceding battles, resulted in a loss to the rebels of 37,000 taken prisoners, including 15 general officers, 10,000 killed and wounded, and ammunition for 60,000 men.

Thus, perseverence, skill and valor triumphed. The stronghold of the Mississippi was taken. No language can describe the tumultuous joy which thrilled the hearts of the gallant men who had won this great prize. The exultation of the army is illustrated in the glowing language of the young and brave McPherson, in his congratulatory address issued on the 4th of July.

"The achievements of this hour," said he, "will give a new meaning to this memorable day; and Vicksburg will heighten the glow in the patriot's heart which kindles at the mention of Bunker Hill and Yorktown. The dawn of a conquered peace is breaking before you. The plaudits of an admiring world will hail you wherever you go."

President Lincoln fully comprehended what he termed "the almost unappreciable services" of Grant in the capture of Vicksburg. He wrote to him the following letter, which illustrates the generous feelings of his heart:

"My Dear General: I do not remember that you and I ever met personally. I write this now as a grateful acknowledgment for the almost inestimable service you have done the country. I wish to say a word further. When you first reached the vicinity of Vicksburg, I thought you should do what you finally did, march the troops across the neck, run the batteries with the transports, and thus go below; and I never had any faith except a general hope, that you knew better than I, that the Yazoo Pass expedition and the like could succeed. When you got below and took Port Gibson, Grand Gulf and vicinity, I thought you should go down the river and join General Banks; and when you turned northward, east of the Big Black, I thought it was a mis-

take. I now wish to make the personal acknowledgment, that you was right and I was wrong."

No military enterprise recorded in history presented greater difficulties to be overcome, none the success of which was ever more fatal to an enemy, nor is there any which exhibits in a higher degree courage, endurance, military skill, bold conception, fertility of resource and rapidity of execution, than that which triumphed in the fall of Vicksburg. Take it altogether it was perhaps the most brilliant operation of the war, and establishes the reputation of Grant as one of the greatest military leaders of any age.

Bold, dashing and meritorious cavalry raids constitute one of the most romantic features of the war. In the beginning the Confederate cavalry was probably superior to the National. The exploits of Stewart, Ashby and others, recall the names of Lee and Marion, of the revolution. But as the war progressed, the Union cavalry ultimately became superior to the rebel. The names of Sheridan, of Kilpatrick, Wilson, Custer, Dahlgren, Grierson, Farnsworth, Straight, Averill, Pleasanton and others, and their daring raids, furnish attractive material for the romance and adventure of the war. I select one exploit, that of Grierson's raid, among others, illustrating this portion of the civil war. No better cavalry was ever organized than that formed of the bold riders of the prairies. No more dashing soldier than Benjamin H. Grierson, and no more hardy and enduring horsemen than he commanded, could be found on either side, during the civil war. To facilitate the operations of Grant around Vicksburg, and distract the attention of the enemy, it was decided to make a cavalry march in the rear of that place, and destroy the railroad communications, and prevent reinforcements.

Colonel Grierson of Illinois, commanding the first Cavalry Brigade, had before sought permission to make a raid through Mississippi, and had failed to obtain the approval of Grant; but early in April he was instructed to prepare for the expedition. He was at La Grange, in Tennessee, fifty miles east of Memphis. With three regiments of cavalry, about

1,700 men, two of them from Illinois, and one from Iowa, he started to march through the Confederacy. He had rivers to swim, swamps to cross, a hostile country full of military posts to pass through. Sixteen days of such marching and fighting as brought him to Baton Rogue on the Gulf of Mexico, 800 miles distant, have perhaps never before been performed. During this period the men were for the larger part of the time in the saddle. Their exhausted horses were constantly exchanged for the blooded animals found in the stables of the plantations of Mississippi. The rebels who followed, discovering that they burned the bridges behind them, saw that they were bound for the gulf. Cavalry was sent from every direction to close in upon and destroy them. With a skill, and strategy, and bravery rarely equaled, they eluded the force that was too strong, and fought and crushed the force that was not too strong to fight. Fording and swimming rivers, exploring dark, interminable forests, through vast swamps and marshes, with no guide but the compass, and the ever faithful negro, they held on their way.

At Pearl river, the command barely escaped. It was known that the river was too high to be forded. The bridge must be reached and the troops cross, or they would be lost. Large rebel forces were in their rear and flank, and rebel scouts had gone forward to destroy the bridge. Delay was fatal; and Grierson, snatching a few hours rest, after a march of more than sixty miles on Monday, the 22d of April, with the dawn of day, directed the bugle to sound the advance of the weary and well nigh exhausted men. Then it became a race for freedom and life, against capture and death. Spurring forward, they flew on like the wind. Across the bridge only was safety. It was a fearful race, but their blooded animals held out, and on they sped. Soon they heard the roar of the swollen waters, and saw men at work tearing up the planks. The bugle sounded the charge, and on they went at the top of their speed, and charged upon the rebel force at the bank of the river. The bridge destroyers were scattered like chaff, the bridge rescued, and the command was across in safety!

During this wonderful ride, they destroyed for many miles three railroads, burned nine important bridges, destroyed locomotives and hundreds of cars, broke up and scattered three rebel camps, destroyed more than four millions of confederate government property, brought in 1,200 captured horses, besides those broken down and abandoned, and five hundred negroes. The latter were of greatest value as guides, and welcomed the National blue and the flag, as that of their deliverers. The enemy made the most strenuous efforts to surround and capture them. Thirteen hundred cavalry were dispatched to intercept them from Mobile; a thousand from Port Hudson; many from Pearl river, and two thousand from Columbia, were sent to cut them off, besides infantry, who were marching from all points. This raid will ever remain a most attractive theme for the poet and the orator. It has scarcely a parallel for successful hardihood and endurance.

In July 1863, John Morgan, a Kentucky guerrilla, attempted, with 4,000 men and 10 pieces of artillery, to make a raid through Indiana and Ohio, and to emulate the success of Grierson. He was a bold and active leader. He succeeded in crossing the Ohio, in cutting some railroads, and doing other damage; but the final result, after a dispersion of his force, and a desperate effort on his part to escape by recrossing the Ohio, was thus announced by Colonel Shackleford, under date of July 26th: "By the blessing of Almighty God, I have succeeded in capturing General John Morgan, Colonel Chike, and the remainder of the command, amounting to about 400 prisoners."

A land force under General Banks, who had succeeded General Butler in the command of the Department of the Gulf, in conjunction with the fleet of the indomitable Farragut, on the 8th of May invested Port Hudson. Several most gallant assaults were made, in which the colored soldiers behaved with a heroism and persistence rivaling those of their white associates. The negroes fought to vindicate their right to their lately acquired freedom, as they charged bravely up to the strong fortifications.

"Now," the flag-sergeant cried,
Though death and hell betide,
Let the whole nation see
If we are fit to be
Free in this land.

Hundreds on hundreds fell,
* * * *
Oh, to the living few,
Soldiers be *just* and *true;*
Hail them as *comrades tried,*
Fight with them side by side;
Never in field or tent
Scorn the black regiment."

On the 9th of July, on receipt of the news of the surrender of Vicksburg, the garrison of Port Hudson, numbering over 5,000 men and 50 pieces of artillery, surrendered to General Banks. And now, the Mississippi was once more clear. The soldiers of the Northwest had hewn their way to the Gulf. "Thanks to the Northwest, but not to the Northwest alone. Three hundred miles up they met New England, Empire, Keystone and Jersey, hewing their way right and left. The sunny South, too, jotted down their part in history, in black and white." * From the land of snow to the land of flowers, the whole length of the Mississippi was once more beneath the old flag.

From the decisive successes in the Valley of the Mississippi we must return to record another great diaster in Virginia. The repulse at Fredericksburg was followed by a change of commanders; the modest, faithful, but in that most sad movement at Fredericksburg, unfortunate Burnside, gave place to the dashing, fighting Joe Hooker; and yet Chancellorville was scarcely less disastrous than Fredericksburg.

On the 28th of January, General Burnside, at his own request, was relieved, and the vast army of the Potomac transferred to General Joseph Hooker. General Burnside, in general orders, gracefully asked his army to "give to the

* See Mr. Lincoln's letter to the Illinois Convention.—McPherson, p. 335-6.

brave and skillful General who has long been identified with your organization, and who is now to command you, your full and cordial support." Hooker entered upon his position with sanguine hopes of decisive success. He said to his soldiers, "with the blessing of God, we will contribute something to the renown of our arms, and the success of our cause." The same order which relieved Burnside and assigned Hooker to the command, relieved Sumner and Franklin from command of the right and left divisions of the army of the Potomac.

Three months were passed in preparation by General Hooker, and he then expressed the opinion that no army in the world could withstand the Army of the Potomac in its condition at that time. On the 27th of April, he pushed three divisions of his army North, to Kelley's Ford, twenty-five miles above Fredericksburg; by the 30th of April, he had reached Chancellorville, five or six miles Northwest of that place. The other divisions had crossed and joined him, leaving General Sedgwick with one division opposite Fredericksburg. On the 2d of May the left wing of Lee's army, under the gallant Stonewell Jackson, made a sudden and fierce attack upon the Eleventh Corps, and drove in the Union right. By the bright moonlight which followed, the enemy were driven back.

On Sunday, the 3d of May, the conflict was renewed at 5 A. M., and raged with fearful violence, until near noon. General Hooker gradually contracted his lines; his headquarters were moved from the Chancellorville House, and the house itself burned by a shell from the enemy. During Sunday afternoon Lee attempted several times to force the lines of Hooker, but failed. Meanwhile, General Sedgwick had been ordered on Saturday to cross the Rappahannock, march by a plank road towards Chancellorville, and connect with Hooker's right.

General Sedgwick moving out towards Hooker, about five o'clock Sunday afternoon, encountered the enemy. Remaining in line of battle during the night, on the morning of the fourth he was attacked in strong force by Lee. Being pressed by nearly the whole rebel army, he made a most brave fight,

gradually falling back towards Banks' Ford. The fight lasted until nine P. M., with the severe loss to General Sedgwick of nearly 4,000 men. On Monday night he crossed the river in good order. While these operations were going on, General Hooker was strengthening his position. On Tuesday preparations were made to recross the Rappahannock, and by Wednesday this was successfully effected. The loss of the Union army in this movement was between 11,000 and 12,000 men killed and wounded, besides a large number of prisoners. The loss of the rebels was less; but among the casualties was the mortal wound received by Stonewall Jackson, the most accomplished soldier in the rebel army. It was in the nature of Mr. Lincoln to do full justice to his enemies. The heroism of Stonewall Jackson, rebel as he was, touched him, and he said to one who spoke kindly of him,* "I honor you for your generosity to one who, though contending against us in a guilty cause, was nevertheless a gallant man. Let us forget his sins over his fresh-made grave."

The failure of this movement was obviously from want of coöperation. Mr. Stanton, the Secretary of War, on the 8th of May, after a visit to the army, says, "that not more than one-third of General Hooker's force was engaged."

Lee now assumed the offensive, and advancing again into the Valley of the Shenandoah, crossed into Maryland. The movement of Lee began on the 3d of June. It was his purpose to strike a decisive blow; for this object, an army of at least 100,000 men had been collected, and the old rebel chiefs, with the exception of Jackson, once more came down the Valley; Longstreet, Ewell, and the Hills, determined to invade Pennsylvania and the North.

Hooker penetrated the object of Lee, and marching on an interior line, covered Washington, and kept his army ready to strike the enemy with effect. In view of the threatening aspect of affairs, President Lincoln, on the 15th of June, issued a call for 100,000 militia to serve for six months. New York, Pennsylvania and Maryland, West Virginia and Ohio, quickly responded to this call. Defensive works were

* Colonel J. W. Forney, of the Washington *Chronicle*

constructed at Baltimore and Harrisburg; and such was the alarm, that even in Philadelphia valuables were sent further North.

On the 28th of June, General Lee, having entered Pennsylvania, occupied Chambersburg. Learning that Hooker's army had crossed the Potomac, and was advancing Northward, he gave orders for the concentration of his forces at Gettysburg. On the 27th, General Hooker, in consequence of a refusal by Halleck to order the troops at Harper's Ferry to join him, asked to be relieved, and Halleck gladly issued the order by which he was relieved, and the command of the army transferred to General Meade. On that day, the headquarters of the Union army were at Frederick city, and that of the slaveholders' army was at Hagerstown. The Union force being thus interposed between the rebels, and Baltimore and Washington. On the 30th, General Meade issued an address to his army, in which he pointed out the important issue involved in the approaching conflict. "Homes, firesides and domestic altars are involved. The army has fought well heretofore; it is believed it will fight more desperately and bravely than ever."

On Wednesday General Reynolds, of the First Corps, marching directly through the town of Gettysburg, came unexpectedly upon the enemy. The heroic General Wadsworth, who had left his princely estate on the banks of the Genessee, in western New York, (estates upon which it is said he could ride for nearly fifty miles upon his own lands,) a volunteer for liberty and Union, led the advance; the division of General Doubleday, one of the subordinates of Anderson at Fort Sumter followed, and formed on the left, with Robinson on the right. On discovering the enemy in force, Reynolds sent word to Howard to hasten up the Eleventh; that Eleventh, that since Chancellorsville was in disgrace; a disgrace that must now be wiped out.

The advance encountered a heavy force of the enemy, and was forced back, but retired in good order. The enemy rashly pressing too far, on the centre, the left closed in upon them, and took many prisoners. As General Reynolds was pressing up to the front, he was killed by a sharpshooter. At 1 P. M. the gallant Howard, riding in advance of his corps,

reached the field and assumed command, leaving his corps in charge of the gallant young soldier and eloquent German orator, Carl Schurz. The death of Reynolds left Doubleday in command of the First Corps. At half past two, from the heights of Cemetery Hill, could be seen the long line of rebel grey backs under Ewell, the famous brigade which Stonewall Jackson had so often led to victory, as they advanced. They were met by a fire so sharp, as to cause them to fall back. Twice the rebels were repulsed, but being reënforced, the remnants of the First Corps were ordered back to the town. In moving, the left of the Eleventh was exposed, and a heavy rebel advance compelled it to fall back in some confusion. The enemy pursued and took possession of the town, while the two corps took possession of the Western slope of the hill.

While the Union troops were being driven by superior numbers through the town, a rapid and general charge might possibly have destroyed these two corps; but it was not made, and their commander, the one armed hero Howard, posted them on a commanding eminence south of the town called Cemetery Hill, and prepared for the shock. When the line of grey again advanced, it met a shower of balls and shells which arrested its progress. It had been a fearful and bloody fight; one single brigade, which under Wadsworth held the left, going into battle with 1,820 men, came out with only 700.

Thus ended the first day's conflict. Each army was being concentrated as rapidly as possible. Howard had seized and occupied Cemetery Hill south, and a little east of the village. To the right of it, the hills extended to Rocky creek, and across this was Wolf Hill; while to the left, the hills extended south, and bending a little west to the Round Top. The Union army was posted on these hills, in shape like a crescent, with its center on Cemetery Hill, and its left extending to Round Top, and its right to Rock Creek. It had the advantage of position, and was so placed that the wings and centre could readily support each other.

At dark on Wednesday evening the Third and Twelfth corps came in and were posted, the former on the ridge extending south and to the left of Cemetery Hill, and the lat-

ter on the same ridge as it curved to the right. The Third came up during Wednesday night, and the Fifth at 10 o'clock Thursday morning. At 11 o'clock at night General Meade arrived upon the field and placed the troops in order of battle. Howard with the 11th, and what was left of the 1st and the 2d under the gallant Hancock, constituted the centre. The 12th under Slocum held the right. The 3d under Sickles, and the 5th, after its arrival, were placed on the extreme left. The Union army was so compact, that troops could be readily removed from either wing to the other, or to the centre, as they might be needed. General Meade had his headquarters on the ridge, in the rear of the cemetery, and more than one hundred guns bristled along the crest of these hills fronting the enemy, and were confronted by one hundred and fifty guns of the rebels. An effort was made to induce Meade to assume the offensive and attack on Thursday morning, pouring his whole army on the rebel centre, and smashing through, dividing it into two parts; but Meade wisely preferred to await the attack in his strong position. Thus the bright July morning wore away, and no movement of importance was made until near the middle of the afternoon.

Lee had ordered a general attack by Longstreet on the Union left and centre, to be followed by Hill. While preparations were being made in the rebel army for this movement, Sickles sent Berdan's regiment of sharp shooters into the woods in his front, and they advancing a mile, descried the grey backs moving large masses to turn the Union left. Longstreet was bringing his whole corps, nearly a third of the slaveholder's army, to precipitate it upon the Union left. Sickles immediately moved out and occupied another ridge, which he thought a more commanding position than the one in which he had been placed, but which did not connect with the main force. His left rested upon Round Top hill. On came the rebels, and both armies opened with artillery. Then came the wild yell, and the charge of the grey backs is met by a storm of grape and cannister, their line is shattered and sent whirling back; directly another line debouches from the forest, and another and weightier charge is approaching. General Warren, who as chief of staff is watching the fight,

sends for reinforcements. Sedgwick and the fighting Sixth are not yet available. Sickles holds on desperately; aid after aid is dispatched for help; but from the clouds of smoke and flame it is seen that Sickles is being pushed back. He finally yields so far as to occupy his first position, and the 5th corps comes to his support, and the brigades winding down among the rocks to the front brace up his lines, and like a rock turn back the assaulting columns. Longstreet is repulsed, and now Anderson moves upon the Union centre. With massed columns, and the well known yell with which the rebels ever charge, they come swarming on. Hancock repels the assault. Sickles, severely wounded, is borne from the front, and Birney the abolitionist, assumes command.

The conflict in the centre rages fiercely. Hancock is wounded in the thigh, and Gibbon in the shoulder. The First and Second wavered; the rebels pressed to the muzzle of the batteries, shot down the artillery horses, and the fight was hand to hand, when the banners of the welcome Sixth corps under the brave Sedgwick came up. Although wearied with a march of 32 miles in 17 hours, they hurried forward with shouts to the rescue, and the enemy were hurled back, repulsed—destroyed. The right had been weakened to sustain the left and centre; and now Ewell made a dash upon Slocum on the extreme right. For a short time the attack was most ferocious; but a part of the Sixth and some of the First came again at the critical moment, and the enemy, although they had succeeded in taking some positions held by Slocum, were finally driven back, and the day closed with the rebels repulsed from every part of the field. It had been a bloody day. Sickles' and Hancock's corps had been badly shattered; both these commanders wounded,—Sickles with a leg shot off. For miles, every house and barn was filled with the wounded and the dying. Thursday had gone and yet the result was not decided. Friday came, and Northern persistence was to crown with victory the three days' struggle.

Early in the morning a file of soldiers marched slowly to the rear, bearing tenderly upon a stretcher the heroic Sickles; — yesterday leading his corps with the dash and spirit for which he was ever distinguished; to-day, with his right

leg amputated, grave and stoical, his cap drawn over his face, and a cigar in his mouth. The enemy opened at daylight with artillery. At dawn General Slocum made an attack on Ewell; he commanded, it will be remembered, Stonewall Jackson's men, and the fight was maintained with equal spirit on both sides, Slocum being aided by Sykes' division of the 3d corps and Humphreys. Ewell's forces were at length driven back, and at 11 o'clock, a. m., there was a lull and quiet on the bloody field.

It has been stated that the key to the Union position was Cemetery Hill. Lee determined to make a desperate effort to get possession of this hill. With this purpose he concentrated upon that hill the concentric fire of more than 100 guns, ranged in a half circle. The lull had continued until near 1. p. m. Meade, Howard, and other leaders were watching for the attack, when at 1 o'clock the thunder of an hundred heavy guns burst upon the position. It was held by the 11th and 12th corps. The storm came suddenly. Soldiers and officers worn with battle and seeking rest were scattered upon the grass. Many were struck as they lay; some died with cigars in their mouths, some at their dinners on the crest of the hill, and some with letters and photographs of friends in their hands, taking a last fond look before the battle which all knew was to be decisive, and fatal to many. Horses were shot down as they stood quietly waiting for the riders to mount. The air in an instant was filled with missiles and splinters; the earth and rocks torn up and shattered, filled the air with clouds of dust; the branches of trees were torn off, and the grave stones and monuments scattered in wild confusion. Within five minutes after the terrific rain of death began, the hill was cleared in all its unsheltered places of every living thing. All but the dead sought shelter. For an hour and a half, this terrible concentrated fire on Cemetery Hill was continued, and was replied to with equal vigor by the batteries on the ridge and range of hills. After the cannonade had continued about three hours, General Howard slackened his fire to allow his guns to cool. It was supposed by the enemy that our batteries were silenced, and that the time for an irresistible charge had come. The divisions of

Virginians, under General Picket, led the advance, supported by large bodies of other troops. As the leading columns of the advance emerged from the woods and became fully exposed to the Union fire, it wavered. But Picket's brigades did not falter; although they were exposed to the terrific fire of grape, canister and shell, from at least forty guns, with a bravery worthy of *old* Virginia they still held on their way steady and firm, closing up their ranks as their comrades were cut down. They crossed the Emmettsburg road, and approach the masses of infantry. General Gibbon, now in command of the Second corps, bare headed, walks along his line, shouting, "hold your fire, boys, they are not near enough yet." Still they came on, and with fixed bayonets sweep up to the rifle pits. "Now fire!" thundered Gibbon. A blaze of death all along the line of the Second corps followed; down go the rebels, but the survivors do not yet falter; they charge on the pits, —on they press, up to the muzzles of the artillery; but here they are met with such storms of grape and canister, that the survivors throw down their arms and surrender, rather than run the gauntlet of the retreat. Three thousand prisoners were taken. The result is thus stated by General Meade in a dispatch dated at 8.30. P. M.:

"The enemy opened at one o'clock, P. M., from about one hundred and fifty guns. They concentrated upon my left centre, continuing without intermission for about three hours, at the expiration of which time they assaulted my left centre twice, being upon both occasions handsomely repulsed with severe loss to them, leaving in our hands nearly three thousand prisoners."*

When the repulse was complete, whole companies and regiments threw down their arms and surrendered, to avoid the terrific fire to which they were exposed. The battle was over. The army of the Potomac had again vindicated its bravery and its endurance. As General Meade rode proudly yet sadly over the bloody field, a band passing struck up "Hail to the Chief."

* Military and Naval History of the Rebellion, page 404. Vide Meade's Report.

The next morning was as sweet, fresh, and balmy as though the storm of death had not been sweeping for three long days over these quiet, pastoral Pennsylvania hills and valleys. Alas! must the historian forever, to the last period of recorded time, recount these terrible scenes of slaughter suffering and death!

Lee was in no condition to renew the attack. His ammunition was short, the spirit of his army broken, and yet Meade made no vigorous pursuit. The rebel loss was 14,000 prisoners, and probably 25,000 in killed, wounded and missing. The Union loss was about 23,000 in all. Few battles in ancient or modern times have been more severely contested; few where greater numbers were engaged, and where there was a greater loss of life; none where more heroic valor was displayed on both sides. Had Sheridan, or Grant, or McPherson, commanded in place of Meade, it is believed Lee's army would never have recrossed the Potomac.

We have seen with how grateful a heart Lincoln returned thanks to Grant and his brave officers and soldiers in the West. He received the intelligence of the victory of the army of the Potomac with emotions not less warm. On the 4th of July he issued the following announcement:

"The President of the United States announces to the country, that the news from the army of the Potomac, up to ten o'clock P. M., of the 3d, is such as to cover the army with the highest honor — to promise great success to the cause of the Union — and to claim the condolence of all for the many gallant fallen; and that for this he especially desires that on this day 'He whose will, not ours, should ever be done,' be everywhere remembered and reverenced with the profoundest gratitude." *

Mr. Lincoln had been made devotional, reverential, humble, by the great events in which he lived; and his State papers, his letters and addresses, indicate more and more even to the day of his death, a consciousness of the Divine Government.

On the evening of the 4th of July, the popular exultation over these successes found expression in a serenade to the

* Military and Naval History of the War, p 505.

President. Mr. Lincoln said: "I do most sincerely thank Almighty God for the occasion of this call;" and ever mindful of the principles of the Declaration of Independence, which were the basis of his political creed, he said: "How long ago is it? Eighty odd years since on the 4th of July, for the first time in the history of the world, a Nation by its Representatives, assembled and declared as a self-evident truth, that all men are created equal: That was the birth day of the United States of America." He then alluded to the other extraordinary events in American history which had occurred on the 4th of July—the death of Jefferson and Adams on that day, and said: "And now at this last 4th of July just passed we have a gigantic rebellion, at the bottom of which is an effort to overthrow the principle that all men are created equal. We have the surrender of a most important position and an army on that very day." And then he alluded proudly and gratefully to the battles in Pennsylvania, on the 1st, 2d, and 3d of July, as the victory over the cohorts of those who opposed the Declaration of Independence.

On the 15th of July, the President issued his proclamation, breathing throughout a spirit of grateful reverence to God, of supreme love of country, and of liberty, and sympathy with the afflicted and the suffering. He said:

"It has pleased Almighty God to hearken to the supplications and prayers of an afflicted people, and to vouchsafe to the army and the navy of the United States victories on the land and on the sea, so signal and so effective, as to furnish reasonable ground for augmented confidence, that the Union of these States will be maintained, their Constitution preserved, and their peace and prosperity permanently restored. But these victories have been accorded not without sacrifice of life, limb, health and liberty, incurred by brave, loyal and patriotic citizens. Domestic affliction, in every part of the country, follows in the train of these fearful bereavements. It is meet and right to recognize and confess the presence of the Almighty Father, and the power of His hand, equally in these triumphs and these sorrows." *

He then invited the people to assemble on the 4th of August, for thanksgiving, praise and prayer, and to render

* Military and Naval History, p. 408.

homage to the Divine Majesty, for the wonderful things He has done in the Nation's behalf; and he called upon the people to invoke His Holy Spirit to subdue the anger which had produced, and so long sustained a needless and cruel rebellion; to change the hearts of the insurgents, to guide the councils of the Government with wisdom, and to visit with tender care and consolation those who, through the vicissitudes of battles and sieges have been brought to suffer in mind, body or estate, and finally to lead the whole Nation through the paths of repentance and submission to the Divine Will, to unity and fraternal peace.

With these most important victories, East and West, a load was lifted from the troubled heart of the President. The form bowed and almost broken with anxiety, once more was erect; his eye grew visibly brighter, and his whole aspect became again hopeful. But it is not proper to suppress the fact that he was greatly chagrined that Meade permitted Lee and his army again to escape across the Potomac*.

In the Autumn of this year of battles, the State of Pennsylvania purchased ground adjoining the Cemetery at Gettysburg—a part of the battle-field, and consecrated it as a National burying ground for the gallant soldiers who fell in the great battles there fought. On the 19th of November this ground was dedicated to its pious purpose, with solemn and impressive ceremonies. The President, members of the Cabinet, Governors of States, and a brilliant assemblage of officers, soldiers and citizens, gathered to witness the proceedings. Edward Everett, the venerable statesman and world renowned scholar and orator was selected as the most suitable person to pronounce the oration. It was worthy of the occasion, the theme, and of New England's most polished and graceful speaker. President Lincoln while on his way

*Mr. Carpenter States in his "Six Months at the White House, page 219," That the President in reply to an enquiry, whether he had ever thought that better management on the part of the commanding General might have terminated the war, replied, "Yes, at Malvern Hill where McClellan failed to command an immediate advance upon Richmond; at Chancellorvilie, when Hooker failed to re-enforce Sedgwick, after hearing his cannon upon the extreme right; and at Gettysburg, when Meade failed to attack Lee in his retreat at the bend of the Potomac:" "But" he added, "I do not know that I could have given any different order if I had been there, etc."

from the Capital to the battle-field, was notified that he would be expected to make some remarks. Retiring a short time, he prepared the following address, which for appropriateness, comprehension, grasp of thought, brevity, beauty, the sublime in sentiment and expression, has scarcely its equal in English or American literature.

When Everett had concluded his oration, the tall, homely form of Lincoln rose; simple, rude, majestic, unconscious of himself, he slowly adjusted his spectacles, and drew from his pocket a manuscript and commenced reading. Before the first sentence, commencing "Four score and seven years ago" was completed, the words arrested attention, and instantly the magnetic influence of a grand idea uttered by a sympathetic nature pervaded the vast assembly:

"Four score and seven years ago, our fathers brought forth on this continent a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now, we are engaged in a great civil war testing whether that Nation, or any Nation, so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember what we *say* here, but it can never forget what they *did* here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a

new birth of freedom; and that Government of the people, by the people, and for the people, shall not perish from the earth." *

These twenty lines contain more than many a volume. There is nothing finer in Fisher Ames' oration on the death of Washington, nor in the masterly address of Daniel Webster, in laying the corner stone of the Bunker Hill Monument. There, above the remains of those who died that the Nation might live, he renewed the high resolve that the dead should not have died in vain; that this Nation, under God, shall have a new birth of freedom, and that a Government "*of the people, by the people, and for the people, shall not perish from the earth.*"

Everett's oration was a polished specimen of consummate oratorical skill. It was perfectly committed to memory, and pronounced without a note. Yet it was so cold, artistic, and secured such admiration for the orator, as to make the audience at times, forget even the dead, to admire his well turned periods, but it did not deeply touch the heart.

When Mr. Lincoln uttered the words " the world will little note nor long remember what we *say* here, but it can never forget what they *did* here," he seemed so absorbed in the heroic sacrifices of the soldiers, as to utterly forget himself, but his hearers were fully conscious that he was the greatest actor in all the drama, and that he was uttering words which would live as long as the language. The magnetism of those who heard him, extended to the vast crowds beyond the reach of his voice, and tears, and sobs, and cheers, spoke the emotions which deeply moved the assemblage, with grand, patriotic, heroic thoughts, the sublime in action and sentiment.

Closing, he turned to Mr. Everett, and congratulating him on his success, the orator gracefully replied: " Ah! Mr. Lincoln, how gladly I would exchange all my hundred pages, to have been the author of your twenty lines."

*Copied from the original.

CHAPTER XIX.

MILITARY OPERATIONS AND EVENTS TO CLOSE OF 1863.

RESULTS OF GETTYSBURG VICTORY—LEE'S RETREAT—ATTEMPT TO RECAPTURE FORT DONELSON—CHATTANOOGA—CHICKAMAUGA—GRANT ASSUMES COMMAND OF OHIO, TENNESSEE, AND THE CUMBERLAND—BATTLES OF LOOKOUT MOUNTAIN AND MISSIONARY RIDGE—SHERMAN RELIEVES NASHVILLE—OPERATIONS AGAINST CHARLESTON—MASSACRE AT LAWRENCE—THE DRAFT RIOTS IN NEW YORK—NEGRO SOLDIERS—RETALIATION—LINCOLN'S LETTER TO ILLINOIS—ELECTIONS OF 1863.

THE battle of Gettysburg was in its results one of the most decisive of the war. The slaveholder's army, elated by their victory at Chancellorville, invaded Maryland and Pennsylvania, with the most lively hopes of transferring the war to the soil of the free States. They were, as they boasted, about to water their horses in the Susquehanna and the Delaware. The rich granaries and the prolific pastures of Pennsylvania and New Jersey were now about to afford them abundant supplies. The vast stores, the wealth and the plunder of the great Northern cities, were passing vividly before the gloating imaginations of the soldiers of the invaders.

The savage threats made by Jefferson Davis at Stevenson, Alabama, on his way to Montgomery to assume the Presidency of the confederacy,* when he said: "We will carry the war where it is easy to advance,—where food for *the sword and torch* wait our army in the densely populated cities," were now, they believed, about to be realized. This proud and arrogant host was met on the hills of Gettysburg and hurled back, never again in force to cross the border.

* Greely's American Conflict, vol. 1, page 415.

The losses on both sides were very severe; the entire Union loss was 2,834 killed, 13,790 wounded and 6,643 missing. Total 23,267. The slaveholder's army lost much more heavily. 4,500 dead were buried by the Union troops, 26,500 of their wounded troops were taken, besides 13,621 prisoners. Total 44,621.

The three day's fighting at Gettysburg had nearly exhausted the ammunition of Lee. His troops began to withdraw on Saturday, July 4th, and at dark Saturday night the remains of his army were nearly all in motion, retiring by South Mountain and Waterloo Gap. He reached Hagerstown on Monday. On Tuesday his advance had gone six miles south of that place. General Meade lost by inactivity a grand opportunity of annihilating the army of Lee. He did not start himself in pursuit of Lee until after the sixth; and, as he says, on the 12th of July, he was again in front of the enemy, but no immediate attack was made. General Halleck justly says: "Instead of attacking Lee in this position, with the swollen waters of the Potomac in his rear, without any means of crossing his artillery, and when a defeat must have caused the surrender of his entire army, he was allowed to construct a pontoon bridge, with lumber collected from canal boats and the ruins of wooden houses."* "The 13th," says Meade, "was occupied in reconnoisance of the enemy's position and preparations for an attack; but on advancing on the morning of the 14th it was ascertained that he had retired the night previous by Falling Waters, and the ford at Williamsport." Some prisoners were taken, but the pursuit was not vigorous enough to be at all decisive. July 14th, General Meade telegraphed to General Halleck that "the enemy are all across the Potomac."

When this dispatch was read to the President, he could not entirely restrain his impatience. He said: "It seems as though General Meade, like others, was satisfied in driving the rebel army across the Potomac. Is not the south side as much our country as the other?" But then he immediately added in substance, "Meade has fought a great battle and won

* See Halleck's Report, 1862.

a great victory for the country, and perhaps there are reasons for his delays unknown to us."

Lee retired to the Rapidan, and the Union army took position on the line of the Rappahannock.

The two decisive events of 1863, the fall of Vicksburg and the victory of Gettysburg, have been more fully described than is consistent with the general plan of this work in regard to military operations, because those events marked the triumphs of the Union cause in the East, and in the West.

Let us now return to that mountainous middle country, where love of the Union and the old flag was tested by suffering and persecution never surpassed in any land—Middle Tennessee.

General Rosecrans, after the battle of Stone River near Murfeesboro', encamped near the latter place. On the 3d of February, the rebels under Wheeler, Forrest and Wharton, invested Fort Donelson, held by Colonel Harding of Illinois, and demanded its surrender. Although having only a single regiment, he had not the least idea of surrender, but gallantly defended the post against repeated assaults of greatly superior numbers, and finally beat off the assailants with a loss to them equal to his whole command. General Rosecrans did not commence a forward movement, until the 25th of June. His long delay, his failure to attack Bragg while it was supposed he had weakened his army to aid Vicksburg, had not been satisfactory either to Halleck or the Secretary of War. By a series of skilful movements he then compelled the rebel commander Bragg to retreat across the Cumberland mountains upon Chattanooga, which was strongly fortified. On the 16th of August he was again in motion, and advanced across the Cumberland mountains, Chattanooga being the objective point. The army successfully crossed the Tennessee in the face of the enemy. By skilful maneuvering and marches, and occupying the gaps of the mountains, he compelled the evacuation of Chattanooga. Meanwhile, General Burnside, who had been sent to the West, had occupied without any serious resistance East Tennessee.

On the 23d of September, the 11th and 12th army corps

under General Hooker were detached from the army of the Potomac, and sent to Tennessee, Longstreet's corps having been sent to Bragg previous to this time. It was discovered that Bragg's army had been increased also, by the prisoners taken and paroled by Grant at Vicksburg, thus shamefully violating their faith on the part of the chiefs of the slave-holders rebellion.

On the 19th of September was commenced the battle of Chickamauga. The right of the Union army under Mc Cook, the centre under Crittenden, and the left under that most admirable soldier, faithful patriot and true gentleman, General George H. Thomas. The rebels first attacked the left, and were repulsed. Then the centre, which after yielding for a short time was reënforced, and maintained its ground. The battle ceased at night, and both armies slept upon their arms. The morning dawned to see the battle furiously renewed upon the Union left and centre. Owing to a misapprehension of orders, a gap was left in the Union lines through which the rebels poured. Piercing the line, the Union right and right centre were cut off and driven back, and the indomitable Thomas was left to breast the tide of battle against the whole rebel army. The right and centre were broken, and fled in confusion to Chattanooga, carrying along Generals McCook, Crittenden and Rosecrans himself. His Chief of Staff, General Garfield joined Thomas, who still held his position immovable against the assaults made upon him. Gradually his lines assumed a crescent form; placing his back against the mountains, and with his flanks protected by the spurs of the rocky hills, like a lion at bay, he withstood the terrible onsets of the enemy. Finally, in the afternoon, a gap was found by which the foe could reach his rear, and Longstreet's legions began to pour through.

Fortunately, at this critical moment, General Gordon Granger, who had marched to the sound of the cannon, came upon the field, and on Thomas pointing out the gap to him, he rapidly threw upon the columns of Longstreet Steedman's brigade of cavalry. Swift was the charge, and terrible was the conflict, but the enemy was broken and the gap seized.

Two of Longstreet's divisions still confronted the gap, determined to carry the pass. A Union battery of six guns played into the gorge, up which they marched, carrying death into their ranks; still they charged nearly up to the mouth of the cannon; but grape, canister and musketry swept them away. At sunset they made their last charge. The Union soldiers had exhausted their ammunition; but with cold steel they charged Longstreet's veterans, scattered them, and the conflict was over, the victory won. At night the enemy fell back, leaving Thomas victorious, with all the honors of this hard fought field. The enemy did not renew the attack, and he joined the right and centre at Chattanooga. The loss of the enemy, as stated in the rebel papers, was 18,000. The Union loss was about 16,351.

On the 19th of October General Grant arrived at Louisville, and assumed command of the Departments of Tennessee, the Cumberland and Ohio; thus securing co-operation, the want of which was obvious; General Sherman assumed command of the Department of the Cumberland, and Thomas that of the Tennessee.

When Thomas followed Rosecrans to Chattanooga, after the desperate fight at Chickamauga, the rebels advanced and occupied the passes and heights of Lookout mountain and Missionary Ridge, and substantially invested Chattanooga.

Longstreet was sent to drive Burnside out of East Tennessee. Supplies for the Union army were now obtained with the greatest difficulty. The troops were on half rations, and ten thousand animals were lost for want of forage. Rosecrans had been relieved, and fears were entertained that Thomas might feel compelled to fall back from the most important position of Chattanooga; but Grant, on the 18th of October, telegraphed to him to hold the place at all hazards, and that he would be there as soon as possible. The brave and loyal Virginian replied: "I will hold the town until we starve." Grant arrived on the 22d, and losing no time, the next morning with Thomas made a reconnoisance of the situation, with a view of driving the enemy out of the overlooking mountains, and regaining the use of the river as a means of supply. He had around him his tried and faithful lieuten-

ants,—those with whom he had been accustomed to march to victory. Sherman was there, sagacious, energetic, rapid, persistent. Thomas, of the army of the Cumberland, a dignified soldier, worthy of Virginia in her earlier, prouder days, before her honor had been tarnished with slave breeding. Sheridan, the most impetuous, indefatigable, unconquerable soldier of the war; as a cavalry officer equal to Murat, and not inferior to Marshall McDonald upon a charge; and there was Hooker, as a fighting division or corps commander, without a superior East or West; and there too were Howard and Blair, and many others. With these, and their gallant subordinates, Grant determined to obtain possession of the river, and to storm and carry the rocky hights of Lookout Mountain and Missionary Ridge.

On the morning of the 24th of November, 8,000 men were placed on the south side of the Tennessee river, fortified in rifle trenches. By 12 M. the whole of Sherman's forces crossed; and by 3 o'clock P. M. the northern extremity of Missionary Ridge was in possession of the soldiers. Hooker scaled the western slope of Lookout Mountain, drove the enemy from his rifle pits, capturing many prisoners, following the enemy, when he and his troops emerged in sight on the Northern extremity of Lookout Mountain. Carlin was ordered to form a junction with him. On the morning of the 25th, Hooker took possession of the Mountain top, and then swept across the Chattanooga valley in pursuit of the enemy. Sherman's and Thomas' soldiers fought with the greatest steadiness, charging up the mountains, overcoming all resistance, and by 12 at night Lookout Mountain, Chattanooga Valley and Missionary Ridge were in possession of the Union army, and the divisions of Bragg were in full retreat. A large number of guns, small arms, and many prisoners were captured. Thomas pursued the enemy, fought him again at Ringgold, beat him, and drove him to Tunnel Hill, twenty miles from Chattanooga. Meanwhile Burnside was at Knoxville, besieged by Longstreet; and Sherman with his worn and weary soldiers were dispatched by forced marches to his relief. His approach on the 3d of December sent Longstreet retreating towards Virginia, and thus closed, gloriously, tri-

umphantly, the Campaign in Tennessee. The battle of Chattanooga, the storming of Lookout Mountain and Missionary Ridge, in which the Union troops stormed and carried peaks above the clouds, was perhaps the most dramatic scene of the war. The losses of the Union army in these battles was 757 killed, 4,529 wounded, and only 330 missing. The rebel loss in killed and wounded did not exceed the Union; but the slaveholders lost in prisoners 6,242, forty pieces of artillery, and 700 stand of arms.

The relief of the cruelly persecuted loyal Tennesseans was peculiarly grateful to the heart of the President. On the receipt of information that the insurgents were driven out, he issued a proclamation appointing a day of public thanksgiving, praise, and gratitude to Almighty God for this great advancement of the National cause.

From the attack upon, and surrender of Fort Sumter, which commenced the war, the people and the President had been extremely anxious to recapture this fort, and to take the city of Charleston, long the nest of nullification, secession and treason. Various military and naval attacks had been made, but it had been very strongly fortified in the beginning by Beauregard, and these fortifications strengthened from time to time. It was blockaded, besieged and bombarded, but successfully resisted all attacks made upon it.

On the 18th of July, 1863, another and more formidable attack was made under General Gilmore, commanding the land, and Admiral Dahlgren the naval forces. A most gallant assault on Fort Wagner was made. The troops, including the 54th Massachusetts colored regiment, led by the devoted and chivalric Colonel Shaw, went forward rapidly and in silence, until they were within two hundred yards of the work, when the men of the 54th, with a furious yell, rushed up the glacis, closely followed by the other regiments. The enemy poured into their ranks a furious fire of grape, canister, and musketry. The negroes however, bravely rushed forward, and many of them crossed the ditch and gained the parapet. They were forced back, leaving one-third of their number, including their brave young colonel, dead upon the field. Instances of unsurpassed heroism were

exhibited by these colored soldiers. A son of Fred Douglas, an eloquent champion of his race, a color bearer of the regiment, was brought to the hospital with his right arm shattered, and with the colors in his left, declaring "the stars never touched the earth." Other regiments and brigades came on, gained the fort, held it for some time, but were finally repulsed with great loss.

Gilmore then proceeded to bombard Fort Wagner, Sumter and Charleston. On the 7th of September, Fort Wagner and Battery Gregg were evacuated, and Fort Sumter was nearly battered down. The Union forces, however, did not then succeed in capturing Fort Sumter, nor in compelling the surrender of Charleston.

In August 1863, the whole nation was horror stricken by an attack and massacre by the rebels under a monster by the name of Quantrell, bearing the commission of Jefferson Davis, constituting him a colonel in the Confederate service, upon the city of Lawrence, Kansas. The citizens were massacred in cold blood, the city plundered and burned, including several churches, to which the inhuman wretches had a special aversion. Two hundred and five citizens were murdered, and property destroyed estimated to be of the value of two millions of dollars. The city had been settled by emigrants from New England; its people were distinguished for their morality, intelligence, love of liberty and hatred of slavery, and therefore the more an object of vengeance to the chiefs of the slaveholder's rebellion. Hence the motive of this infamous outrage.

The final results of the years' operations were as decisive and important as any perhaps which ever attended any combination of military and naval movements, where the theatre of operations was so vast.

Under the law of March 3d, 1863, providing for an enrollment of the military forces of the United States, the enrollment was completed, and in June a draft for 300,000 men was ordered by the President. Time was however given to each State to fill up its quota, and thus prevent a resort to drafting. There was great pride and emulation among the different towns, cities, and states, as to which should make

up its quota of troops first; and, especially, that the quota of each should be filled without a resort to the draft. Hence, large local bounties were offered, and much the larger portion of the troops called for were obtained without the draft.

All who were opposed to the war, and who sympathized with the rebels, availed themseves of the draft, to excite prejudice against, and opposition to, the administration. Every means were resorted to by this party to oppose enlistments, and stir up, if possible, violent resistance to the draft. Among the most active of these agents was Vallandigham. The patriotism and loyalty of the people, however, was in most parts of the country too strong to be seduced, and no formidable opposition to the execution of the law manifested itself, except in the city of New York. Here there was a larger number of rebel sympathizers and Southern emigrants, and the emissaries of the rebellion succeeded in creating a formidable opposition to the law.

Orders were given to proceed with the draft on the 11th of July. The first day's proceedings passed off quietly; but on Monday the 13th the business was arrested by a violent and excited mob, which broke into and burned the building in which the Marshal's office was situated. Then refusing to permit the firemen to extinguish the fire, the whole contiguous block was consumed. The Superintendent of Police was attacked and beaten nearly to death. The troops and many of the State militia were absent in Pennsylvania to aid in resisting Lee's invasion; and it was found difficult to raise a force to suppress the riot. It was joined by the worst and most degraded elements of that great city, and marched from street to street, murdering, pillaging, and burning. The animus of the rioters was hatred of the negro, and its especial purpose was to murder and rob negroes and abolitionists. The infuriated mob attacked the colored half-orphan Asylum, a charitable institution, which furnished a home for seven or eight hundred colored children. With inhuman yells, and a spirit which can find its parallel only among the fiends of the most cruel and inhuman plantations in the Gulf States, the mob abused and scattered the children, set fire to the

building itself, and, maddened with crime, caught and hung every negro they could find. In one instance, a negro was first hung, and then a fire kindled beneath him, the heat of which restored the poor sufferer to consciousness, while the smoke stifled him. The police did their duty manfully, but were overpowered. Governor Seymour was in New York at the time, and addressed these rioters in the Park, and mildly urged them to forbearance. The remedy needed was cold steel and musket balls, rather than civil words. On the 14th of July he issued a proclamation calling upon all persons engaged in the riot to disperse. This produced as little effect as his speech, and the second day was as bad, or worse than the first. The militia were recalled from Pennsylvania; other troops were sent to New York, and the riots were suppressed. The design of the rebel emissaries who stirred up the riot was to create a formidable diversion in favor of the rebel armies. It did cause the weakening of the army of Meade, by the withdrawal of troops, and enabled Davis to send Longstreet to reënforce Bragg in Tennessee. There was also a riot in Boston, but it was so promptly met, as to gain no considerable head. There is no doubt that the rebel incendiaries fomented and urged on the riots of New York, and hoped by violence to make a strong diversion in the free States in favor of the insurgents. They so far succeeded as to raise a mob, which rioted in violence and plunder from Monday until Thursday, and gave to the rebel sympathizing citizens of that city a taste of anarchy. They discovered that a mob once in motion, was as likely to destroy friend or neutral, as foe.

The American people are a law abiding people, and no rash counsels could succeed in stirring up violent resistance to law outside the purlieus of a great city. To the American citizen the ballot and not the bullet is the remedy for political evils and wrongs. If defeated to day at the ballot-box, he appeals to the next election, and trusts to reason and intelligence to bring a majority to his side.

We have already traced the gradual progress of public opinion and Executive policy, in the employment of the negroes as soldiers. General Hunter at Hilton Head, and

General Butler at New Orleans, had organized them into regiments, drilled, and prepared them for active service. Congress and the Executive had not only sanctioned, but encouraged such employment. When the States were called on to furnish their quotas of troops under the several calls, and learned that negroes would be credited, vigorous means were taken by Massachusetts, Pennsylvania, New York, and other States to recruit free colored men. In furtherance of the policy of placing as many negroes as possible in the service, General Thomas, Adjutant General of the United States, visited the Southwest, charged with the organization of colored troops; and from this time the number rapidly increased. Large numbers were recruited in Tennessee, Mississippi, Louisiana, North and South Carolina, Virginia, Maryland, and the District of Columbia. By November, 1863, there had already been organized and were in active service over 50,000 colored men, besides nearly an equal number employed as laborers, teamsters, etc. Stimulated by the proclamation of emancipation, the negroes flocked in crowds into the Union army to secure the freedom of their race.

Emancipation now became the clear, open, and avowed policy of the administration. How would these colored soldiers be treated if taken prisoners by the rebels?

The issue of the emancipation proclamation by President Lincoln, and the employment of negroes as soldiers, had created deep anxiety and excitement in the rebellious States. It was at first proposed by the rebel press and Congress to make slaves of all free negroes, to put to death all slaves found in arms, and to punish their officers with death. Finally, the subject was referred by the Confederate Congress to their President, Davis.

Jefferson Davis, by proclamation, announced that the colored troops and their white officers, if captured, would not be treated as prisoners of war, but would be turned over for punishment by State authority. The question became a practical one, when members of the gallant Fifty-fourth Massachusetts colored troops, in their brave, but unsuccessful assault on Fort Wagner, at Charleston, fell into the hands of the rebels as prisoners of war. From the threats which

had been made as to their treatment, and the treatment of other negro soldiers taken prisoners by the rebels, Mr. Lincoln felt it his duty on the 10th of July, 1863, to issue the following order:

"It is the duty of every Government to give protection to its citizens, of whatever class, color, or condition, and especially to those who are duly organized as soldiers in the public service. The law of Nations and the usages and customs of war as carried on by civilized powers, permit no distinction as to color, in the treatment of prisoners of war as public enemies. To sell or enslave any captured person on account of his color, and for no offense against the laws of war, is a relapse into barbarism, and a crime against the civilization of the age.

"The Government of the United States will give the same protection to all its soldiers; and if the enemy shall sell or enslave any one because of his color, the offense shall be punished by retaliation upon the enemy's prisoners in our possession. It is therefore ordered, that for every soldier of the United States, killed in violation of the laws of war, a rebel soldier shall be executed; and for every one enslaved by the enemy, or sold into slavery, a rebel soldier shall be placed at hard labor on public works, and continued at such labor until the other shall be released, and receive the treatment due to a prisoner of war." *

In this connection, what Mr. Lincoln said at Baltimore, April 18th, 1864, may appropriately be quoted as expressive of his views:

"At the commencement of the war, it was doubtful whether black men would be used as soldiers or not. The matter was examined into very carefully, and after mature deliberation, the whole question, resting as it were with myself, in my judgment, I decided that they should. I was responsible for the act to the American people, to a Christian world, to the future historian, and above all to my God, to whom I shall have one day to render an account of my stewardship. I would now say that in my opinion the black soldier should have the same protection as the white soldier, and he shall have it." †

General Grant, with the directness of the soldier, pursued the same course. In a communication addressed to General Lee, dated October 29th, 1864, he said:

* McPherson, p. 280.
† McPherson, p. 180.

"I shall always regret the necessity of retaliating for wrongs done our soldiers; but regard it my duty to protect all persons received into the army of the United States, regardless of color or Nationality. When acknowledged soldiers of the Government are captured, they must be treated as prisoners of war, or such treatment as they receive will be inflicted upon an equal number of prisoners held by us.

"In answer to the question at the conclusion of your letter, I have to state, that all prisoners of war falling into my hands shall receive the kindest treatment possible, consistent with securing them, unless I have good authority for believing any number of our men are being treated otherwise. Then, painful as it may be to me, I shall inflict like treatment on an equal number of Confederate prisoners." *

The power of the slaveholding Confederacy grew weak under the blows inflicted at Gettysburg, at Arkansas Post, at Port Hudson, at Vicksburg and Chattanooga; and near the close of 1863 their Congress in its desperation enacted a law declaring every man between the ages of eighteen and fifty-five to be in the military service for the war. Thus, every man between those ages became subject to the articles of war, to military discipline and penalties, and, on failure to report for duty within a certain time, became liable to the penalty of death as a deserter. This measure indicated the desperate fortunes and the approaching dissolution of the Confederacy. Desertion, absenteeism and straggling, under such means of filling their army, prevailed to such an extent, that the rebel Secretary of War reported that the effective force of their army was not more than one-half or two-thirds of the men, whose names appeared on the muster rolls.

Depreciation of their currency, and the loss of credit, paralyzed the Confederate cause. The paper money issued by the Richmond Government depreciated so as to be worth only five or six cents on the dollar. The credit of the Government was gone, and the agriculturists refused to sell their products for Confederate notes. The destruction of their army for lack of supplies was inevitable, and the Confederates were compelled to seize and impress all the food and supplies necessary to carry on the war. These embarrassments were enhanced by the wearing out of the Southern railways, and

* McPherson, p. 445.

railway stock. They could not procure an adequate supply of iron and skilled labor, to repair and renew the stock and tracks. The failure of the crops, and the desolation of war, produced great suffering and want among the people.

Meanwhile, the confidence of the loyal men of the United States in Abraham Lincoln and his administration was becoming deep and pervading. His success in the field, his continued triumph over the most formidable financial difficulties, the great ability and success with which our foreign relations were managed, and above all, the moral power arising from Mr. Lincoln's open, unequivocal position in favor of universal justice and liberty, had secured the favor of the great masses of the loyal people. Abraham Lincoln had gradually secured the respect, love, and veneration of nearly all, by his integrity, his unselfishness, his simplicity, his wisdom, and his love of justice and right. Their verdict through the ballot box, in the autumn of 1863, was everywhere favorable. The President in his letter to a mass meeting of the Union men of Illinois, held in September, 1863, explained, in his own frank, clear, and masterly manner, the condition of the country, and the policy he was pursuing. To these old friends and neighbors he said:

"There are those who are dissatisfied with me. To such I would say: You desire peace, and you blame me that we do not have it. But how can we obtain it? There are but three conceivable ways: First, to suppress the rebellion by force of arms. This I am trying to do. Are you for it? If you are, so far we are agreed. If you are not for it, a *second* way is to give up the Union. I am against this. Are you for it? If you are, you should say so plainly. If you are not for *force*, nor yet for *dissolution*, there only remains some imaginable *compromise*.

"I do not believe that any compromise embracing the maintenance of the Union is now possible. All that I learn leads to a directly opposite belief. The strength of the rebellion is its military, its army. That army dominates all the country and all the people within its range. Any offer of terms made by any man or men, within that range, in opposition to that army, is simply nothing for the present; because such man or men have no power whatever to enforce their side of a compromise, if one were made with them."

He thus vindicates his policy in regard to the negro, and emancipation:

"But to be plain. You are dissatisfied with me about the negro. Quite likely there is a difference of opinion between you and myself upon that subject. I certainly wish that all men could be free, while you, I suppose, do not. Yet I have neither adopted nor proposed any measure which is not consistent, with even your view, provided that you are for the Union. I suggested compensated emancipation; to which you replied you wished not to be taxed to buy negroes. But I had not asked you to be taxed to buy negroes, except in such way as to save you from greater taxation to save the Union exclusively by other means. You dislike the emancipation proclamation, and perhaps would have it retracted. You say it is unconstitutional. I think differently. I think the Constitution invests its Commander-in-Chief with *the law of war*, in time of war. The most that can be said, if so much, is, that slaves are property. Is there, has there ever been any question, that by the law of war, property, both of enemies and friends, may be taken when needed? And is it not needed whenever it helps us, and hurts the enemy? Armies, the world over, destroy enemies' property when they cannot use it; and even destroy their own to keep it from the enemy. Civilized belligerents do all in their power to help themselves or hurt the enemy, except a few things regarded as barbarous or cruel. Among the exceptions are the massacre of vanquished foes and non-combatants, male and female. But the proclamation, as law, either is valid or is not valid. If it is not valid, it needs no retraction. If it is valid, it cannot be retracted, any more than the dead can be brought to life. Some of you profess to think its retraction would operate favorably for the Union. Why better *after* the *retraction* than *before* the issue? There was more than a year and a half of trial to suppress the rebellion before the proclamation was issued, the last one hundred days of which, passed under an explicit notice that it was coming, unless averted by those in revolt returning to their allegiance. The war has certainly progressed as favorably for us since the issue of the Proclamation as before."

He then states that the Emancipation proclamation and the employment of negro troops had been the heaviest blows given to the rebel cause, and that at least one of the successes of the Union army could not have been achieved without the aid of the black soldiers.

He concluded this admirable paper as follows:

"You say that you will not fight to free negroes. 'Some of them,' said he with severe reproach, "seem willing to fight for you; but no matter. Fight you, then, exclusively, to save the Union? I issued the Proclamation on purpose to aid you in saving the Union. Whenever you shall have conquered all resistance to the Union, if I shall urge you to continue fighting, it will be an apt time, then, for you to declare you will not fight to free negroes. I thought that, in your struggle for the Union, to whatever extent the negroes should cease helping the enemy, to that extent it weakened the enemy in his resistance to you. Do you think differently? I thought whatever negroes can be got to do as soldiers, leaves just so much less for white soldiers to do in saving the Union. Does it appear otherwise to you? But negroes, like other people, act upon motives. Why should they do anything for us, if we will do nothing for them? If they stake their lives for us, they must be prompted by the strongest motive, even the promise of freedom. *And the promise, being made, must be kept.*

"The signs look better. The 'Father of Waters' again goes unvexed to the sea. Thanks to the great Northwest for it, nor yet wholly to them. Three hundred miles up they met New England, Empire, Keystone, and Jersey, hewing their way right and left. The army South, too, in more colors than one also lent a helping hand. On the spot, their part of the history was jotted down in black and white. The job was a great National one, and let none be slighted who bore an honorable part in it. And while those who have cleared the great river may well be proud, even that is not all. It is hard to say that anything has been more bravely and well done than at Antietam, Murfreesboro, Gettysburg, and on many fields of less note. Nor must Uncle Sam's web-feet be forgotten. At all the watery margins they have been present, not only on the deep sea, the broad bay and the rapid river, but also up the narrow and muddy bayou, and wherever the ground *was a little damp* they have been and made their tracks. Thanks to all. For the great Republic — for the principle it lives by, and keeps alive — for man's vast future, thanks to all.

"Peace does not appear so distant as it did. I hope it will come soon, and come to stay; and so come as to be worth the keeping in all future time. It will then have been proved that among freemen there can be no successful appeal from the ballot to the bullet, and that they who take such appeal are sure to lose their case and pay the cost. And there will be some black men who can remember that with silent tongue, and clenched teeth and steady eye, and well poised bayonet, they have helped

mankind on to this great consummation, while I fear there will be some white ones unable to forget that with malignant heart and deceitful speech they have striven to hinder it.

"Still let us not be over sanguine of a speedy, final triumph. Let us be quite sober. Let us diligently apply the means, never doubting that a just God, in His own good time, will give us the rightful result." *

Every State in which elections were held, except New Jersey, gave majorities for the administration. In Ohio, Vallandigham, who had been nominated for Governor, was defeated by a majority in favor of the Union candidate of nearly one hundred thousand votes.

It was under these hopeful circumstances that the first session of the Thirty-eighth Congress assembled, and the year 1863 closed.

* McPherson, p. 335-6.

CHAPTER XX.

FIRST SESSION OF 38TH CONGRESS,—1863-4.

PRESIDENT'S MESSAGE—REPEAL OF FUGITIVE SLAVE LAWS—PAY OF COLORED SOLDIERS—FREEDOM GIVEN TO THEIR FAMILIES—CONSTITUTIONAL AMENDMENT ABOLISHING AND PROHIBITING SLAVERY THROUGHOUT THE REPUBLIC—DEBATES UPON IT IN THE SENATE AND IN THE HOUSE.

ON the meeting of the 38th Congress, December 7th, 1863, Schuyler Colfax of Indiana was elected speaker, Edward McPherson of Pennsylvania clerk, and Dr. Channing, a radical abolitionist, a nephew of the great anti-slavery writer, Dr. William E. Channing, was elected Chaplain of the House.

There were elected to the Senate and returned to the House, constituting the 38th Congress, several new members of very distinguished ability. Among others were Governor E. D. Morgan of New York, elected to the Senate in place of Preston King; Reverdy Johnson, long at the head of the bar of his State, and a leading statesman of Maryland in place of Kennedy.

From Missouri was elected to the Senate the brilliant leader of the anti-slavery party of that State, B. Gratz Brown. From California came the staunch Union man and able debater John Conness, in place of Latham. From Minnesota, Governor Alexander Ramsey in place of Rice.

To the House of Representatives were elected, James W. Patterson a learned scholar and college professor from New Hampshire, and Frederick W. Woodbridge an able lawyer from Vermont.

From Massachusetts *George S. Boutwell*, late Governor of that State, and an able, earnest, and radical anti-slavery man, also John D. Baldwin, a very distinguished editor and journalist.

From Rhode Island, Thomas A. Jenckes a very prominent lawyer. From Connecticut Messrs. Deming and Brandegee.

Among the new members from New York were Henry G. Stebbins, an able financier; John V. L. Pruyn, John A. Griswold, C. F. Hulburd, Francis Kernan, Freeman Clark, and John Ganson. Among those from Pennsylvania were John M. Broomall, Glenni W. Schofield and Thomas Williams. From Maryland were the brilliant orator Henry Winter Davis, and A. J. Creswell. From Ohio, General Robert C. Schenck, Rufus A. Spaulding, and General James A. Garfield. From Kentucky were Anderson, Yeaman, Green Clay Smith, and Brutus J. Clay. There were also among many other able new members, G. S. Orth from Indiana, John A. Kasson from Iowa, and General John F. Farnsworth from Illinois.

The President's message commenced by expressing the profoundest gratitude to God for health, abundant harvests, and the improved condition of National affairs. The efforts to involve the Republic in foreign wars in aid of the rebellion, had failed. He announced that the operations of the treasury had been successfully conducted. The National banking law had proved a valuable support to the National credit. All demands upon the Treasury, including the pay of the army and navy had been promptly met. The burdens of taxation, and others incident to a great war had been most cheerfully borne by the people. The receipts for the fiscal year had been $901,125,674.86. The expenditures $895,796,-630.65. He stated that the naval force of the United States at that time consisted of five hundred and eighty-eight vessels, completed and in the course of construction, and of these, seventy-five were iron-clad or armored steamers.

The President then proceeded to contrast the present condition of the country with what it was at the opening of Congress, a year previous. Then, the war had lasted nearly twenty months, and there had been many conflicts on land and sea, with varying results. The rebellion had been pressed back into narrower limits, but the tone of public feeling indicated uneasiness, and amid much that was cold and menacing from abroad, the kindest words were uttered in accents

of pity that we were too blind to surrender a hopeless cause. Our commerce was suffering greatly by armed vessels built upon and furnished from foreign shores, and we were threatened with such additions as would sweep our trade from the sea, and raise the blockade.

The proclamation of emancipation came in January—with the announcement that colored men would be received into the military service. The policy of emancipation and the employment of black soldiers gave to the future a new aspect, about which hope, and fear, and doubt contended in uncertain conflict. It had all the while been deemed possible that the necessity of emancipation as a military measure might come. It came, and was followed by dark and doubtful days. "Eleven months" said the President, "having now passed, we are permitted to take another review. The rebel borders are pressed still further back, and by the complete opening of the Mississippi, the country dominated by the rebellion is divided into distinct parts, with no practical communication between them. Tennessee and Arkansas have been substantially cleared of insurgent control, and influential citizens in each, owners of slaves and advocates of slavery at the beginning of the rebellion, now declare openly for emancipation in their respective States. Of those States not included in the Emancipation Proclamation, Maryland and Missouri, neither of which three years ago would tolerate any restraint upon the extension of slavery into new territories, only dispute now as to the best mode of removing it within their own limits.

Of those who were slaves at the beginning of the rebellion, full one hundred thousand are now in the United States military service about one-half of which number actually bear arms in the ranks, thus giving the double advantage of taking so much labor from the insurgent cause, and supplying the places which otherwise must be filled with so many white men. So far as tested, it is difficult to say they are not as good soldiers as any. No servile insurrection, or tendency to violence or cruelty, has marked the measure of emancipation and arming the blacks. These measures have been much discussed in foreign countries, and contemporary with

such discussion, the tone of public sentiment there is much improved. At home, the same measures have been fully discussed, supported, criticised, and denounced, and the annual elections following are highly encouraging to those whose official duty it is to bear the country through this great trial. Thus, we have the new reckoning. The crisis which threatened to divide the friends of the Union is past."*

The near approach, as Mr. Lincoln now hoped, of the period when the rebellion would be suppressed, led him to study the difficult problem of reconstruction. Upon this subject he said :

"Looking now to the present and future, and with reference to the resumption of the National authority within the states wherein that authority has been suspended, I have thought fit to issue a proclamation, a copy of which is herewith transmitted. On examination of this proclamation it will appear, as is believed, that nothing will be attempted beyond what is amply justified by the Constitution. True, the form of an oath is given, but no man is coerced to take it. The man is only promised a pardon in case he voluntarily takes the oath. The Constitution authorizes the Executive to grant or withhold the pardon at his own absolute discretion; and this includes the power to grant it on such terms as is fully established by judicial and other authorities.

"It is also proffered that if, in any of the States named, a State Government shall in the mode prescribed set up a State government, it shall be recognized and guaranteed by the United States, and that under it the State shall on constitutional conditions, be protected against invasion and domestic violence. The constitutional obligation of the United States to guarantee to every state in the Union, a republican form of government and to protect the State in the cases stated, is explicit and full. But why tender the benefits of this provision only to a State government set up in this particular way? This section of the constitution contemplates a case wherein the element within a State favorable to republican government in the Union, may be too feeble for an opposite and hostile element external to, or even within the State; and such are precisely the cases with which we are now dealing.

"An attempt to guarantee and protect a revived State government, constructed in whole or in prepondering part, from the very element against whose hostility and violence it is to be protected, is simply absurd. There must be a test by which to separate the opposing element,

* McPherson, page 147

so as to build only from the sound; and that test is a sufficiently liberal one, which accepts as sound, whoever will make a sworn recantation of his former unsoundness.

"But if it be proper to require as a test of admission to the political body, an oath of allegiance to the Constitution of the United States, and to the Union under it, why not also to the laws and proclamations in regard to slavery? Those laws and proclamations were enacted and put forth for the purpose of aiding in the suppression of the rebellion. To give them their fullest effect, there had to be a pledge for their maintenance. In my judgment they have aided and will further aid the cause for which they were intended. To now abandon them would be not only to relinquish a lever of power, but would also be a cruel and an astounding breach of faith."*

Mr. Lincoln never overlooked the pledge of the national faith to the colored men, made by the Executive and Congress, to maintain their freedom. To abandon the "freedmen to their late masters, would, in his judgment be an astounding breach of that faith." "I may add," said he, "that while I remain in my present position, I shall not attempt to modify or retract the Emancipation Proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation, or by any of the acts of Congress." He closes this able state paper by saying:

"Our chief care must still be directed to the army and the navy,† who have thus far borne their harder part so nobly and well, and it may be esteemed fortunate that in giving the greatest efficiency to these indispensable arms, we do also honorably recognize the gallant men from commander to sentinel, who compose them, and to whom, more than to others the world must stand indebted for the home of freedom, disenthralled, regenerated, enlarged and perpetuated."

At the period of the opening of the 38th Congress, the conviction had become almost universal among the loyal people that slavery must die that the republic might live. To this end, Congress went to work vigorously and earnestly, to aid the President in the great work of emancipation, and extirpation of the cause of the rebellion; to remove from the Statute Book, every relic of this barbarous institution, and to

* McPherson, page 146.
† McPherson, page 147.

crown the whole by a Constitutional Amendment, abolishing and prohibiting slavery forever.

There still remained upon the Statute Book several laws enacted to secure and strengthen slavery; among these and the most disgraceful statute ever enacted by the American Congress, was the fugitive slave law of 1850, introduced by the haughty traitor and imperious slave holder Mason, as a humiliation to the free states. An arrogant and defiant party, controlled by slaveholders, in their pride of power, had forced this bill through Congress. All the power of the Federal Government had been used for its enforcement, against the resistance of the manly and generous sentiments of the people. It had been a most efficient means of arousing popular feeling against slavery.

In the House of Representatives, immediately after the announcement of the standing committees by the Speaker, on the 14th of December, 1863, Mr. Stevens of Pennsylvania, introduced a bill to repeal the Fugitive Slave act of 1850, and the act of 1783. Mr. Ashley on the same day introduced a bill to repeal the fugitive slave law of 1783, and the act amendatory thereof, of 1850. Other bills, having for their object the same purpose were introduced. These bills were referred to the committee on the judiciary. Bills for the same purpose had been introduced into the Senate in 1861, by Senator Howe of Wisconsin; in 1862 by Senator Wilmot of Pennsylvania, and by Senator Wilson of Massachusetts.

On the 8th of February 1864, Senator Sumner introduced a bill to repeal all laws for the rendition of fugitive slaves. On motion of Senator Sherman, the act of 1783 was excepted from the repeal.

In the House of Representatives, Mr. Morris, from the Judiciary Committee, reported "A bill to repeal the fugitive slave law of 1850, and all acts and parts of acts for the rendition of fugitive slaves." When, on the 13th of June, the bill came up for discussion, its passage was urged on the ground that when the republic was struggling for life against the slaveholders' rebellion, when one hundred thousand black men were fighting for the flag, and not one voluntarily against it, every law for the maintenance of slavery should

be repealed. The bill passed the House by a very large majority. It passed the Senate on the 23d, and received the approval of Mr. Lincoln on the 28th of June, 1864.

Thus passed away forever this relic of barbarism. A law which by its inhuman provisions, its violations of the great principles of English and American justice as secured by *Magna Charta* and the common law, and still more perfectly by the Constitution of the United States, and the cruelty and inhumanity which marked its execution, had done more to arouse hatred of slavery than almost any other agency.

In discussing a bill providing that colored soldiers should receive the same pay and bounty as white, full testimony in addition to that contained in the President's message was borne to their merits as soldiers, and it was established that the negroes when organized as troops were industrious and obedient; that they made the best scouts, knowing the country well, and that in every particular they performed their duty faithfully; and why should they not? They fought for the elevation and emancipation of their race, as well as for our country. The bill after much discussion finally became a law.

In the debate upon the bill to make free the wives and children of colored soldiers, Senator Johnson made these very remarkable statements in regard to the morality and christianity of slavery. It will be remembered that Senator Johnson represented the slave State of Maryland; himself a slaveholder, speaking of what he personally knew to be true—his testimony proving as will be seen that the family relation was not recognized among four millions of human beings living in this Christian land! That among the colored people, the mothers had no husbands, and the children no legal fathers; and not only this, but that as to slavery in Maryland, where the institution existed perhaps in its mildest form, there was many a slave in South Carolina and the Gulf States, who might well claim to have a wife, perhaps wives and children in the State of Maryland. Let the Christian world remember that the slaveholders' rebellion was designed to establish, secure, and perpetuate this institution! For this cause men violated oaths and deserted their flag, and yet prayed for the blessing of Almighty God!

In this work the author has honestly endeavored not so much to make (in the language of Vice President Johnson) "treason odious," as to make its cause (slavery) odious. He has sought to impress the American people with the unchristian and barbarous character of the institution, and to show that its tendency has been to debase and degrade the noble type of white men which inhabit the lately rebellious slave States.

His justification will be found, he thinks, in the following statements of the eminent senator from Maryland. He says:

"I doubt very much if any member of the Senate is more anxious to have the country composed of free men and free women than I am. I understand the bill to provide that upon the enlistment as a soldier of any man of African descent, his wife and children are at once to be free. No provision is made to compensate the owner of the wife and children if they happen to be slaves, and it of course only applies to such wives and children as are slaves, those who are to be set free, and not those who are now free.

"The bill provides that a slave enlisted anywhere, no matter where he may be, whether he be within Maryland or out of Maryland, whether he be within any other of the loyal States or out of the loyal States altogether, is at once to work the emancipation of his wife and his children. He may be in South Carolina; and many a slave in South Carolina, I am sorry to say it, *can well claim to have a wife, and perhaps wives and children, within the limits of Maryland.* It is one of the vices, and the *horrible vices* of the institution, one that has shocked me from infancy to the present hour—the whole marital relation is disregarded. They are made to be practically and by education, forgetful or ignorant of that relation. When I say they are educated, I mean to say they are kept in absolute ignorance, and out of that, *immorality of every description* arises, and among the other immoralities is that the connubial relation does not exist."*

The war thus made to perpetuate slavery, he hoped through the justice of God would strike down the institution forever. He said:

"The men who were here preaching their treason from these desks, telegraphing from these desks—I saw it, though I was not a member, and my heart burned within me—for their minions, or the deluded

* Vol. 50 Congressional Globe, 38th Congress, page 396.

masses at home, to sieze upon the public property of the United States, its forts, its means, its treasure, its material of war, and who were seeking to seduce from their allegiance officers of the army and navy of the United States; they have done it; and they were told that such would be the result. They did not believe it. They believed that your representatives would not have the firmness to try the wager of battle. They believed, I have heard them say so, that a southern regiment could march without resistance, successfully from Washington to Boston, and challenge for themselves independence in Faneuil Hall. Sad delusion! Gross ignorance of the character of your people! You were free and you knew its value. You are free, and you are brave because you are free; and as I have told them over and over again, let the day come when in their madness they should throw down the gage of battle to the free States of the Union, and the day of their domestic institution will have ended. They have done it. I have said it was, as against them, retributive justice. Hoping and believing that their effort will be fruitless, that their treason will fail in its object, that the authority of the government will be sustained, and the Union be preserved, I thank God that as a compensation for the blood, the treasure, and the agony which have been brought into our households, and into yours, it has stricken now and forever this institution from its place among our states."

Thus spoke a loyal Senator, though a southern slaveholder.

On the 3d of February, 1863, Mr. Sherman, the distinguished Senator from Ohio, announced his conversion to emancipation. He said:

"I believe that the employment of negro slaves in the Southern States will result in emancipation in all those States, and as the amendment of the Senator from Massachusetts proposes to employ negro slaves in the army and navy, and to invite them by bounties, by high pay, by uniform, by all the inducements now held out to our own soldiers and sailors, the result will be universal emancipation in this country.*

* * * * * * *

"The most eloquent, the most gifted, the wise, the learned, each and all of the great names that have adorned American history in convention and in either House of Congress, have expended their eloquence, their learning, all the artillery of excited debate on the slavery question, as it effected a single slave or an unpopulated territory. It devolves upon *us* now to pass upon a guarantee, a pledge, which, if made, *honor and public faith* will never hereafter allow the Nation to withdraw; a

* Volume 50, Congressional Globe, page 438.

pledge, which, if redeemed, will directly emancipate a majority of the slaves in this country, and in its logical consequences, within a short time, will make every human being within our limits free, unless he forfeits his freedom by his crime.

"The race whose military service we require, has yielded forced labor, unrequited toil, to ours, for generations. If we induce them to incur the risk of death and wounds in war, upon the promise of emancipation, and do not redeem that promise, we add *perfidy* to wrong. The *soldier* who has worn our uniform, and served under our flag, must not hereafter labor as a *slave*. Nor would it be tolerable that his wife, his mother, or his child should be the property of another. The instinctive feeling of every man of generous impulse would revolt at such a spectacle. The guarantee of freedom for himself, his mother, his wife and his child, is the inevitable incident of the employment of a slave as a soldier. If you have not the power, or do not mean to emancipate him, and those with whom he is connected by domestic ties, then in the name of God and humanity, do not employ him as a soldier. Let him, in his servitude at least, be free from the danger incident to a free man. If I had doubts about the power to emancipate the slave for military service, I certainly would not vote to employ him as a soldier."*

After an elaborate and exhaustive review of the action of the United States and other nations in regard to the employment of slaves, he said:

"I have thus Mr. President, perhaps at the risk of being wearisome, shown that in ancient and in modern times, by all civilized nations, by our own country and by our enemies in all of our wars, negro soldiers, both free and slave, have been used in the military service, and in every case where slaves have been so used, they have been secured their liberty. It would be an intolerable injustice to which no people would ever submit; to serve in the military service without securing that greatest of boons. My answer then, to the main question, whether the employment of negroes, free or slave, is justified by the laws of war, is, that by the practice of all nations it is justified." * * *

"I believe the war has been protracted so long, because we have feared, through prejudice, and probably on account of old party relations, to exercise the great powers that are invested in us. I believe that from the beginning, when the rebels assumed the position of enemies, we should have armed against them the whole negro population

* Volume 50, Congressional Globe, page 439

of their country. They need not tell me that if we arm the negroes, they will arm them. They cannot arm their negroes unless they promise them their freedom. If they promise them their freedom, their whole confederacy crumbles into dust. Their whole confederacy is built, as Mr. Stephens said, on the idea that man should own property in man; that the negro is inferior and must be held subordinate to the white race; that he must be held a slave. * * *

"To all the slaves in all the rebel States, I would secure freedom to the last man, woman and child. I never would allow the men who have rebelled against the best government God ever gave to man, to own a slave, or, I was about to say, to own any other property. They are outcasts. They have rebelled. Their rebellion was causeless. I have no pity for them in all the suffering that may be heaped upon them, in their own generation. For those men who domineered in this Senate, who domineered in the other House, who converted our political bodies into arenas for the defense of slavery, for those men who, when fairly beaten in a political contest, took up arms to overthrow the Government, I have not the slightest sympathy or respect. They are not only enemies but they are traitors, and I will enforce against them not only the laws of war, but the municipal laws of our own country as to treason.* * * *

"On the subject of emancipation, I am ready now to go as far as any one. Like all others, I hesitated at first, because I could not see the effect of the general project of emancipation. I think the time has now arrived when we must meet this question of emancipation boldly and fearlessly. There is no other way. Slavery is destroyed, not by your act, sir, or mine, but by the act of this rebellion. I think, therefore, the better way would be to wipe out all that is left of the whole trouble, the dead and buried and wounded of this system of slavery. It is obnoxious to every manly and generous sentiment. The idea that one man may hold property in the life of another, may sell him like cattle, is obnoxious to the common sentiment of all. Now, when the power is in our hands, when these rebels have broken down the barriers of the Constitution, when they must be treated by the laws of war, when we dictate those laws, not the President, let us by law meet this question of emancipation boldly and fearlessly. I am prepared to do it, and to vote to-day, to-morrow, or any day for a broad and general system of emancipation."†

On the 8th of March, the young and brilliant Senator from

* Vol. 50 Congressional Globe, page 444.
† Vol. 50, Congressional Globe, page 445.

Missouri, who had led the emancipation movement in that State, made a most able and philosophic speech in favor of universal emancipation. He said :

"The supremest truth of our time is this : that it is a revolution in whose whirls we are eddying, and with whose currents we have to contend; a revolution the grandest ever yet essayed by man, and destined to give its watchword to other lands and people ; a revolution in all its great outlines of enkindled faith, of continued development, of overturned thralldoms, of liberated hope. The strata of this nation's sediment, coldness, and oppression has been broken through. Human nature once more, by the grace of God, has become volcanic and eruptive, and the precious truths of freedom and fraternity are swelling up from their deep foundations, away below the defacements of men. It is a revolution full of promise.* * * *

"There are striking indications that point out, if they do not determine the ending. There are vaguely outlined groupings, that shape themselves into more definite forms as they are scrutinized. Especially are there three great central ideas, raying forth into the darkness of the future their broad beams of light, and illuminating the paths that are to be trodden by this people in their "marching on"—three impending necessities as it were, distinct, yet related, which may be set forth as *first*, a realization and establishment in truth, and not merely in name, of absolute freedom policies throughout the whole land ; *second*, the building up from its sure foundation, of a nationality that shall represent the aspirations of the whole people for a democratic unity ; and *third*, the conforming of our Government in its administration as in its recognitions, to those divine truths that go to constitute and inspire a devout Christian State, holding itself, "as ever, in the great Taskmaster's eye.† * * *

"Without doubt, the abolition of slavery throughout all the states of this Union by general statute, such as now proposed, must be an initial measure to any freedom policies reposing on national authority as their guarantee ; for until the slave code shall be thus canceled in fact, no constitutional amendment covering that ground will ever be had.

"The second marked characteristic is the great progress which is swelling forward, overturning old modes of thought, conscripting constitutions, and remodeling the functions of government in an enkindled nationality. Out of the very burning and fire froth of sectionalism, springs the ideal of a true nation.‡

* Vol. 51, Congressional Globe, page 985-986.
† Vol. 51, Congressional Globe, page 986.
‡ Vol. 81, Congressional Globe, page 987.

"The lowly must be exalted, the depressed raised up, the ignorant educated, the slave freed, the chattle humanized, and a democratic equality before the laws obtained for all men. The people must have fraternity, as well as solidity only.

"The third and completing symbol of the outcome of these times, will be found to indicate the instauration here of Christian Government, founded upon, in dwelling with, and springing out of the divine justices—Government recognizing that in the affairs of nations, as in those of individuals, there is one equality that comes of the equality of creation, there is one right avenger on compromises, which is the supreme right, there is one law which must ever be, as it ever has been, a higher law. And they are to become practice, not merely theory. These are earnest days in the life experiences of our people; and in this Senate, as abroad throughout the land, the most important fact around and about you is not always your law of yesterday, or your tax of to-morrow, or your conscription of the month hence; it is not the vote here nor the battle yonder; but it is the spirit of this nation that upholds these things, and out of which they flow—the spirit which buoys you, Senators, into this upper air, without which, or false to which, you will sink as empty collapsed bladders.

These grand, old mother words of justice, and truth, and brotherhood, begin to have meaning anew, kindled up in them by the light that is breaking out around. The nation is putting on its Puritanism. Thanksgivings appoint themselves unitedly. Days of supplication are become somewhat more than holidays. The bowing down has ceased to be a mockery, in the presence of the multitudinous remembered dead; and even they who heretofore have been accounted most indifferent, begin to hold to a realizing conviction that God does direct the affairs of nations by His special providences. The scoffers have had their generation, and we have returned upon a period of faith

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It was a declaration that led up to much thought, and was significant of much which has since transpired, that this Nation could not endure 'half free and half slave,' that one or the other would be supreme. * * *

"Lastly, in taking an initiative, and proposing an act of direct abolition, I do so in the name of the great State which has honored me with a seat in this Senate, and which, although still a slave State under the local law, will be proud and grateful to receive emancipation at the hands of the Federal Government. Missouri, which was consecrated to slavery more than forty years ago by a National Congress, comes this day and asks a National Congress to right that wrong, and

confer upon her freedom, as the only sure guarantee of Republican institutions."

There had been various other miscellaneous acts of Congress hostile to slavery enacted by the 37th and 38th Congress. Among others a joint resolution for the discharge from arrest and imprisonment of all persons confined as fugitives from labor in the Washington jail. The National Capital had long been disgraced by a place of confinement of fugitives, comparable only to the Bastile of Paris, or the dungeons of Venice. A set of officials, speculators in human beings, and men who made gain by preying upon human liberty, had grown up, and their business had legitimately converted them into fiends—hyenas in human shape. These men had seized and confined negroes, persons tainted to any extent with African blood, and whether bond or free, had sold them into slavery.

The laws of procedure were so amended, that no witness should be excluded in the courts of the United States on account of color. A law was also passed prohibiting the coastwise slave trade, and declaring that no human being should be transported as property, in any vessel within the jurisdiction of the United States. A law was also enacted, declaring that color should be no longer a disqualification in carrying the United States mails.

These measures, and the still more important ones of the Executive, including the great Emancipation Proclamation, all looking to the complete overthrow of slavery, were to be consummated and completed by an amendment of the organic law, the Constitution of the United States, abolishing and prohibiting slavery forever. Towards this end, everything had been tending. Towards this great, this radical change, towards this complete triumph of the Declaration of Independence as interpreted by Mr. Lincoln, everything had been progressing. This great moral revolution, the result of a free press, free speech, civilization, Christianity and the war, was now to be completed. Perhaps there is no more striking illustration of the growth of public sentiment and the conviction

* Congressional Globe, First Session, Thirty-eighth Congress, p. 988 90.

of the loyal, sound judging common sense of the people, than is found in the letter of the practical soldier, General Grant, written at Vicksburg in August, 1863. He said:

"I never was an abolitionist, nor even what could be called anti-slavery; but I try to judge fairly and honestly; and it became patent to my mind early in the rebellion, that the North and South could never live at peace with each other, except as *one Nation*, and *that without slavery*." *

On the 14th of December, 1863, as soon as the Speaker had announced the Standing Committees of the House, in regular order of business, he proceeded to call the States for resolutions. As Ohio, the first State organized under the great freedom Ordinance of 1787, was called, one of her representatives, *James M. Ashley*, introduced a joint Resolution, submitting to the States a proposition to amend the Constitution by abolishing and prohibiting slavery.

When Iowa was called, James M. Wilson, Chairman of the Committee on the Judiciary, introduced a joint Resolution providing for the submission to the States of an amendment to the Constitution, in these words: *

"SEC. 1. Slavery being incompatible with a free Government, is forever prohibited in the United States; and involuntary servitude shall be permitted only as a punishment for crime.

"SEC. 2. Congress shall have power to enforce the foregoing section of this article by appropriate legislation."

Other propositions to effect the same object were introduced. In the Senate, Mr. Henderson, of Missouri, and Sumner, of Massachusetts, introduced similar propositions, which were referred to the Committee on the Judiciary.

On the 10th of February, 1864, Mr. Trumbull reported the joint resolution of Mr. Henderson, amended so as to read as follows:

"That the following article be proposed to the legislatures of the several States, as an amendment to the Constitution of the United States,

* McPherson's Political History. Note on page 571. The letter as published, is erroneously dated August, 1862. The original is August, 1863.

* Wilson's Anti-slavery Measures of Congress, p. 250.

which, when ratified by three-fourths of said legislatures shall be valid to all intents and purposes as a part of the said Constitution, namely:

"ART. 13, Sec. 1. Neither slavery, nor involuntary servitude except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation." *

On the 28th of March the Senate proceeded to consider the question, and the debate was opened by Mr. Trumbull, Chairman of the Judiciary Committee. He sketched with great clearness and force, the struggle between freedom and slavery for the last seventy years, and showed how slavery was at the bottom of all our difficulties. He said: †

"If these halls have resounded from our earliest recollections with the strifes and contests of sections, ending sometimes in blood, it was slavery which almost always occasioned them. No superficial observer, even, of our history North or South, or of any party, can doubt that slavery lies at the bottom of our present troubles. Our fathers who made the Constitution regarded it as an evil, and looked forward to its early extinction. They felt the inconsistency of their position, while proclaiming the equal rights of all to life, liberty, and happiness, they denied liberty, happiness, and life itself to a whole race, except in subordination to them. It was impossible in the nature of things, that a Government based on such antagonistic principles could permanently and peacefully endure, nor did its founders expect it would. They looked forward to the not distant, nor as they supposed, uncertain period, when slavery should be abolished, and the Government become in fact what they made it in name, one securing the blessings of liberty to all. The history of the last seventy years has proved that the founders of the Republic were mistaken in their expectations; and slavery, so far from gradually disappearing as they had anticipated, had so strengthened itself, that in 1860, its advocates demanded the control of the Nation in its interests, failing in which, they attempted its overthrow. This attempt brought into hostile collision the slaveholding aristocracy, who made the right to live by the toil of others the chief article of their faith, and the free laboring masses of the North, who believed in the right of every man to eat the bread his own hands had earned."

* Wilson's Anti-slavery Measures, p. 253.
† Congressional Globe, Vol. 51 p. 1313.

He then reviewed the action of Congress and of the Executive, on the subject of slavery during the war, and closed the review by showing that the only way of ridding the country forever of slavery so that it never could be resuscitated either by State or Congressional action, was by a Constitutional amendment prohibiting it forever everywhere within the United States. His practical mind then discussed the probability of the adoption of the amendment, and on this point, came to this conclusion:

"I think, then, it is reasonable to suppose, that if this proposed amendment passes Congress, it will within a year receive the ratification of the requisite number of States to make it a part of the Constitution. That accomplished, and we are forever freed of this troublesome question. We accomplish then, what the statesmen of this country have been struggling to accomplish for years. We take this question entirely away from the politics of the country. We relieve Congress of sectional strife, and what is better than all, we restore to a whole race that freedom which is theirs by the gift of God, but which we for generations have wickedly denied them." *

Trumbull was followed by Wilson of Massachusetts. He commenced by quoting from the great apostle of free speech and the right of petition, John Quincy Adams. "Our country," said Adams, "began its existence by the universal emancipation of man." He proceeded to point out, in eloquent terms, the cause of the war: †

"Why is it, Mr. President, that this magnificent continental Republic is now rent, torn, dissevered by civil war? Why is it that the land resounds with the measured tread of a million of armed men? Why is it that our bright waters are stained, and our green fields reddened with fraternal blood? Why is it that the young men of America in the pride and bloom of early manhood, are summoned from homes, from the mothers who bore them, from the wives and sisters who love them, to the fields of bloody strife? Why is it that millions of the men and the women of Christian America are sorrowing with aching hearts and tearful eyes for the absent, the loved and the lost? Why is it that the heart of loyal America throbs heavily, oppressed with anxiety and gloom for the future of the country?

* Congressional Globe, Vol. 52, p. 1314.
† Congressional Globe, Vol. 52, p. 1320.

"Sir, this gigantic crime against the peace, the unity and the life of the Nation, is to make eternal the hateful dominion of man over the souls and bodies of his fellow men. These sacrifices of property, of health and of life, these appalling sorrows and agonies now upon us, are all the merciless inflictions of slavery, in its gigantic effort to found its empire, and make its hateful power forever dominant in Christian America. Yes, slavery is the conspirator that conceived and organized this mighty conspiracy against the unity and existence of the Republic. Slavery is the traitor that madly plunged the Nation into the fire and blood and darkness of civil war. Slavery is the criminal, whose hands are dripping with the blood of our murdered sons. Yes sir, slavery is the conspirator, the traitor, the criminal that is reddening the sods of Christian America with the blood of fathers and husbands, sons and brothers, and bathing them with the bitter tears of mothers, wives and sisters. * * * * * *

"The imperishable records of the Republic will bear to future ages the amplest evidence that slavery has ever been hostile to the spirit of her free institutions. Planted in America by the commercial and colonial policy of the British Empire, fostered by British legislation, protected by British Kings and Queens, Lords, Judges and Prelates, slavery, from the day it entered the harbor of Jamestown, to the dawn of the Revolution, was an alien in America, an enemy to law and order, liberty and progress. The pages of our colonial history bear to us the amplest testimony that our fathers saw its malign influence, and protested against the slave trade and the slave extending policy of the British Government. * * * * * *

"Sir, under the new Constitution framed to secure the blessings of liberty, slavery strode into the chambers of legislation, the halls of justice, the mansions of the Executive, and with menaces in the one hand and bribes in the other, it awed the timid and seduced the weak. Marching on from conquest to conquest, crushing where it could not awe, seduce, or corrupt, slavery saw institutions of learning, benevolence, and religion, political organizations and public men, aye, and the people too, bend before it and acknowledge its iron rule. Seizing on the needed acquisitions of Louisiana and of Florida to extend its boundaries, consolidate its power and enlarge its sway, slavery crossed the Mississippi, and there established its barbarous dominion against the too feeble resistance of a not yet conquered people.* Controlling absolutely the policy of the South, swaying the policy of the nation, impressing itself upon the legislation, the sentiments, and opinions of the North,

* Congressional Globe, Vol. 51, p. 1320.

slavery moved on to assured dominion. Under its aggressive advances, emancipation societies, organized by the men of the revolutionary era, in the first bright ardor of secured liberty, one by one disappeared;—presses and churches forgot to remember those in bonds as bound with them, and recreant sons disowned the sentiments, opinions and principles of a glorious ancestry. And slavery, in the pride of power proclaimed itself in the Halls of Congress through its apostles and champions, its Calhouns and McDuffy's, 'a positive good,' 'the only stable basis of Republican institutions,' 'the corner stone of the Republican edifice.'" *

He rapidly sketched the anti-slavery legislation of Congress, and the action of the Executive, and thus alluded to the Proclamation of Emancipation:

"On the 1st day of January, 1863, the President of the United States, 'invoking the considerate judgment of mankind, and the gracious favor of Almighty God,' redeemed this solemn pledge of the 22d of September, which the recording angel had registered. On that day the irreversible decree was sent forth to master and slave, to earth and heaven. By this exercise of the war powers of the Government, all persons held as slaves in any State or part thereof in rebellion, were declared to be 'then, thenceforward and forever free,' and the Executive, the military and naval authorities were pledged to recognize and maintain the freedom of such persons. This complete, absolute, and final decree of emancipation in rebel States, born of military necessity, proclaimed by the Commander-in-Chief of the army and navy, is the settled and irrepealable law of the Republic, to be observed, obeyed, and enforced, by army and navy, and by the irreversible voice of the Nation. The enforcement of this proclamation will give peace and order, freedom and unity to a now distracted country; the failure to enforce it will bring with it discord and anarchy, a dissevered Union and a broken Nation. * * * * * * * *

"Slavery in America, though upheld by interests, customs and usages, trenched about by inhuman statutes, and hedged around by passionate, vehement and unreasoning prejudice, is fast crumbling to atoms beneath the blows rained upon it by a liberty loving and patriotic people. But let anti-slavery men listen to no truce, to no compromise, to no cry for mercy. Let them now be as inflexible as justice, as inexorable as destiny. Whenever and wherever a blow can be dealt at the vitals of the retreating fiend, let that blow be struck in the name of the bleeding Nation

* Congressional Globe, Vol. 51, p. 1320.

and of the 'dumb toiling millions bound and sold.' A truce with slavery is a defeat for the Nation. A compromise with slavery is a present of disaster and dishonor, and a future of anarchy and blood. Mercy to slavery is a crime against liberty. The death of slavery is the annihilation of the rebellion, the unity of the Republic, the life of the Nation, the harmonious development of republican institutions, the repose, culture, and renown of the people.* * * * * *

"Engraving on every rood of the vast territories of the Republic, on the magnificent forests and prairies, valleys and mountains, in the central regions of the continent, in letters of light, 'slavery shall be forever prohibited,'—obliterating slavery and annulling the slave code in the Capital of the Nation—decreeing under the war powers more than three million bondmen in the rebel States, 'thenceforward and forever *free*,'—proclaiming the emancipation of the slave by the fiat of the Nation the instant he writes his name on the muster roll of the defenders of the Republic, has riven and shivered the slave system into broken and dismembered fragments; and that huge and ghastly system now lies prostrate in the convulsive throes of dissolution. National legislation, Executive action, judicial decision, may still further wound and weaken, degrade and humiliate the now impotent system that once in the pride of power gave law to Republican America.†

"But, sir, the crowning act in this series of acts, for the restriction and extinction of slavery in America, is this proposed amendment to the Constitution, prohibiting the existence of slavery forevermore in the Republic of the United States. If this amendment shall be incorporated by the will of the Nation into the Constitution of the United States, it will obliterate the last lingering vestiges of the slave system; its chattelizing, degrading, and bloody codes; its dark, malignant, barbarizing spirit; all it was and is, everything connected with it, or pertaining to it, from the face of the Nation it has scarred with moral desolation, from the bosom of the country it has reddened with the blood, and strewn with the graves of patriotism. The incorporation of this amendment into the organic law of the Nation, will make impossible forevermore, the reappearing of the discarded slave system, and the returning of the despotism of the slavemaster's domination."

The debate was continued on the 30th of March, by a violent speech of Senator Davis of Kentucky, against the amendment; and on the 31st, by a still more violent speech by Mr.

* Congressional Globe, Vol. 51, p. 1323-24.
† Congressional Globe, Vol. 51, p. 1324.

Saulsbury, in opposition. New Hampshire was heard in reply through the eloquent voice of Senator Clark, in favor of the resolutions. Then the young State of Wisconsin spoke through Senator Howe, for the amendment.

On the 5th of April, a memorable speech in favor of the amendment was made by Reverdy Johnson, Senator from Maryland. A Senator from a State just throwing off the burden of slavery; a lawyer of great eminence; an old and experienced statesman; the cotemporary and associate of Webster, Clay, and Calhoun. His speech attracted marked attention in the Senate and throughout the country. He commenced by calling attention to the opinions in regard to slavery entertained by those who accomplished the Revolution. On this point he says: *

"There was a period in our own time when there was but one opinion upon the question of right, or almost but one opinion upon that question. The men who fought through the Revolution, those who survived its peril and shared in its glory, and who were called to the Convention by which the Constitution of the United States was drafted and recommended to the adoption of the American people, almost without exception thought that slavery was not only an evil to any people among whom it might exist, but that it was an evil of the highest character, which it was the duty of all christian people if possible to remove, because it was a sin as well as an evil.

"I think the history of those times will bear me out in the statement, that if the men by whom that Constitution was framed, and the people by whom it was adopted, had anticipated the times in which we live, they would have provided by constitutional enactment, that that evil and that sin should at some comparatively unremote day be removed. Without recurring to authority, the writings public or private of the men of that day, it is sufficient for my purpose to state what the facts will justify me in saying, that every man of them who largely shared in the dangers of the revolutionary struggle, and who largely participated in the deliberations of the Convention by which the Constitution was adopted, earnestly desired, not only upon grounds of political economy, not only upon reasons material in their character, but upon grounds of morality and religion, that sooner or later the institution should terminate."

* Congressional Globe, Vol. 51, p. 1419.

He thus expresses his emphatic concurrence with Jefferson, in regard to the injustice of slavery: *

"I concurred, and concur still, in the judgment of the great apostle of American liberty, the author of that Declaration which is to live through all time as the Magna Charta of human rights, that in a contest between the slave to throw off his thraldom, and the master who holds him to it, the God of justice could take no part in favor of the latter. And as I have said to the Senate already, and alluded to it on a former occasion, my opinion upon the institution is not now for the first time announced."

He charges that the election of Mr. Lincoln, so far from being the cause of the rebellion, was hailed with joy by the conspirators, as furnishing an occasion for the execution of their long concocted conspiracy: †

"The present incumbent of the Presidential Chair was elected by a sectional vote, and the moment the news reached Charleston, where some of the leading conspirators were, and here in this Chamber where others were to be found, it was hailed not with regret but with delight. Why? Because, as they thought, it would enable them to drive the South to madness, by appealing to the danger in which such an event involved this institution, which the people were made to believe was so essential to their power and to their happiness, and that will be repeated over and over again, just as long as the institution is suffered to remain. Terminate it, and the wit of man will, as I think, be unable to devise any other topic upon which we can be involved in a fratricidal strife. God and nature, judging by the history of the past, intend us to be one. Our unity is written in the mountains and rivers in which we all have an interest. The very difference of climate render each important to the other and alike important. That mighty horde which from time to time have gone from the Atlantic, imbued with all the principles of human freedom which animated their fathers in running the perils of the mighty deep, and seeking liberty here, are now there, and as they have said, they will continue to say, until time shall be no more: 'We mean that the Government in future shall be as in the past, one, an example of human freedom for the light and example of the world, and illustrating in the blessings and the happiness it confers, the truth of the principles incorporated into the Declaration of Independence, that life and liberty are man's inalienable right.'"

* Congressional Globe, Vol. 51, p. 1420.
† Congressional Globe, Vol. 51, p. 1424.

The young and prosperous free-soil State of Iowa, through her distinguished Senator, Harlan, was next heard in favor of the amendment. Mr. Harlan had been a minister of the Methodist Episcopal Church; and he discussed with great ability the violation of morals and Christianity growing out of slavery. He showed that the prohibition of the marital relation was a necessary incident of slavery as it existed in most of the slave States. The abrogation of the conjugal relation among four millions of human beings ought never to be permitted by a Christian people. Slavery abrogated practically the parental relation; it rendered the slave incapable of acquiring or holding property; its tendency was to reduce him mentally and morally to the condition of the beast.

Mr. Saulsbury of Delaware, advocated slavery as a divine institution. Then came a characteristic speech from the old anti-slavery leader, John P. Hale. He said, "the day he and many others had long wished for, hoped for, striven for, had come. The Nation was now to commence a new life." He called attention to the contrast between the grandeur and sublimity of the truths embraced in the Declaration of Independence, and the degradation and infamy involved in the practical disregard by the Nation of these truths.

Senator McDougal of California, upon whom did not fall the mantle of the martyred Broderick, but who in his better days was a fine scholar and dialectician, misrepresented the Pacific coast by opposing the amendment.

Senator Henderson of Missouri, announced in clear language, the issue to be, "the Union without slavery, or the acknowledgment of the Southern Confederacy." He announced at the same time that he was a slaveholder; "but," said he, "we cannot save the institution if we would, and we ought not if we could." He closed by expressing the hope that the abolition of slavery would be the means of bringing about a lasting peace, upon which National freedom could be built upon National strength, and that from this era we might date a more perfect National unity.

The Senators from Kentucky opposed vehemently the amendment.

Charles Sumner, on behalf of Massachusetts, and of the friends of the amendment, closed the great debate. He showed clearly that slavery found no warrant for its existence in the Constitution, and that it existed in defiance of its principles. Yet he would prohibit it by express enactment. He brought to the discussion his rich stores of historical knowledge—the writings of the poets, historians, and statesmen of the past. He declared that the amendment would be the cap-stone upon the sublime structure of American liberty.

On the 8th of April, the amendment was adopted in the Senate by ayes 38, noes 6. Those voting in the negative were Davis and Powell of Kentucky, McDougal of California, Hendricks of Indiana, and Saulsbury and Riddle of Delaware. Let us now pass to the consideration of the amendment in the popular branch of Congress.

We have seen that in the House of Representatives, early in the session, propositions for amending the Constitution, abolishing and prohibiting slavery were introduced. On the 15th of February, 1864, on motion of Mr. Arnold of Illinois, the House adopted the following resolution:

"*Resolved*, That the Constitution should be so amended, as to abolish slavery in the United States wherever it now exists, and to prohibit its existence in every part thereof, forever." *

This, it is believed, was the first resolution ever adopted in Congress in favor of the entire abolition of slavery. Although it passed by a decided majority, it was doubtful whether the amendment offered, could obtain the two-thirds vote required by the Constitution for its passage.

The very decided vote in its favor in the Senate, the pressure of a constantly increasing public sentiment demanding its passage, it was hoped would carry it through. The President used all the means in his power to secure its success. He personally urged all on whom he could exert an influence, to vote for it. The discussion upon the proposition began on the 31st of May, and it was not finally brought to a vote until the 15th of June. It was opposed by Messrs. Holman of

* Congressional Globe, Vol. 50, p. 659.

Indiana, Pruyn and Fernando Wood of New York, Ross of Illinois, Mallory of Kentucky, and Cox and Pendleton of Ohio, and by nearly all the democratic members of the House. It was earnestly advocated by Wilson of Iowa, Messrs. Arnold, Farnsworth and Ingersoll of Illinois, Higby of California, Kelly of Pennsylvania, and many others.

In favor of its passage it was said: *

"Slavery to-day is an open enemy, striking at the heart of the Republic. It is the soul, and body, and spirit of the rebellion. It is slavery which marshals yonder rebel hosts which confront the patriot armies of Grant and Sherman. It is the savage spirit of this barbarous institution which starves the Union prisoners at Richmond, which assassinates them at Fort Pillow, which murders the wounded on the field of battle, and which fills up the catalogue of wrong and outrage which mark the conduct of the rebels during this war. In view of all the long catalogue of wrongs which slavery has inflicted upon the country, I demand to-day of the Congress of the United States the death of African slavery. We can have no permanent peace while slavery lives. It now reels and staggers towards its last death struggle. Let us strike the monster this last decisive blow.

"The Thirty-seventh Congress will live in history as the Congress which prohibited slavery in all the territories of the Union, and abolished it at the National Capitol. The President of the United States will be remembered as the author of the Proclamation of Emancipation, as the liberator of a race, the apostle of freedom, the great emancipator of his country. The Thirty-eighth Congress, if we pass this joint resolution, will live in history as that which consummated the great work of freeing a continent from the curse of human bondage. Never, since the day when John Adams plead for the Declaration of Independence, has so important a question been submitted to an American Congress, as that upon which you are now about to vote. The signing of the immortal Declaration is a familiar picture in every log cabin and home all over the land. Pass this resolution and the grand spectacle of this vote which knocks off the fetters of a whole race, will make this scene immortal.

"Live a century, nay a thousand years, and no such opportunity to do a great deed for humanity, for liberty, for peace and for your country will ever again present itself. Pass this joint resolution and you win a victory over wrong and injustice, lasting as eternity. The whole world

* Congressional Globe, Vol. 53, p. 2988–89.

will rise up to do you honor. Every lover of liberty in Germany, France, Italy, Great Britain, the world, will rise up and call you blessed. The gallant soldiers in the field who are giving their lives for liberty and Union will call down upon you the blessings of heaven. Let the lightnings of God (fit instruments for the glorious message) transmit to the toiling and struggling soldiers of Sherman, and Hunter, and Butler, and Grant, the thrilling words 'slavery abolished forever,' and their joyous shouts will strike terror into the ranks of the rebels and traitors fighting for tyranny and bondage. The thousands of wounded in the hospitals around this Capital, would hail the intelligence as a battle fought, and a great victory won.

"This Constitutional amendment has passed the Senate, long regarded as the citidel of the slave power; how strange if it should fail in the popular branch of Congress! The people and the States are eager and impatient to ratify it. Will those who claim to represent the ancient democracy refuse to give the people an opportunity to vote upon it? Is this your confidence in the loyal masses? The passage of this resolution will strike the rebellion at the heart. I appeal to border State men and democrats of the free States; look over your country; see the bloody footsteps of slavery. See the ruin and desolation which it has brought upon our once happy land; and I ask, why stay the hand now ready to strike down to death, the cause of all these evils? why seek to prolong the life, to restore to vigor, the institution of slavery, now needing but this last act to doom it to everlasting death and damnation? Gentlemen may flatter themselves with the hope of a restoration of the slave power in this country. 'The Union as it was!' It is a dream never again to be realized. The America of the past is gone forever! A new nation is to be born from the agony through which the people are now passing. This new nation is to be wholly free. Liberty, *equality before the law*, is to be the great corner stone. Much yet remains to be done to secure this. Many a battle on the field has yet to be fought and won against the mighty power which fights for slavery, the barbarous system of the past. Many a battle has yet to be won on the higher sphere of moral conflict. While our gallant soldiers are subduing the rebels in the field, let us second their efforts by sweeping from the statute book every stay, and prop, and shield of human slavery, the scourge of our country, and let us crown all by incorporating into our organic law the law of universal liberty. For myself, I mean to fight this cause of the war, this cursed cause of all the expenditure of blood and treasure, from which my country is now suffering, this institution which has filled our whole land with desolation, sorrow, and anguish. I mean to fight it, until neither on statute book nor the Constitution, shall there be left

a single sentence or word which can be construed to sanction the stupendous wrong. Let us now, to-day, in the name of liberty, justice, and of God, consummate this grand revolution. Let us to-day make our country, our whole country,' *the home of the free.*'

"I conclude in the language of the President: 'So much good has not been done by one effort in all past time, as in the providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it.'"

Mr. Pendleton of Ohio, in a closing speech, rallied the democratic party against the amendment. The vote was ninety-three in favor of the amendment, sixty-five against it—not voting, twenty-three. Not having a majority of two-thirds, the resolution failed. The democratic party voted nearly solid against it. Messrs. Bailey of Pennsylvania, Colonel Cobb of Wisconsin, Griswold and Odell of New York, were exceptions.

Before the vote was announced, James M. Ashley of Ohio, changed his vote from the affirmative to the negative, for the purpose of entering a motion to reconsider. The subject went over to the next session. Meanwhile, the adoption of the amendment, and the longer existence of slavery passed into an issue to be decided at the approaching Presidential election.

During the struggle on the Constitutional amendment, the President manifested the utmost anxiety that it should pass. On the 1st of January, 1864, he received his friends, and many congratulations were expressed, on account of the improved prospects of the country. The decisive victories in the West, and the successes in the East, gave a more buoyant tone to all visiting the White House. One of the most devoted friends of Mr. Lincoln calling upon him, after exchanging congratulations over the progress of the Union armies during the past year, said:

"I hope Mr. President, one year from to-day, I may have the pleasure of congratulating you on the consummation of three events which seem now very probable. "What are they?" said Mr. Lincoln.

"First, That the rebellion may be completely crushed. Second, That slavery may be entirely destroyed, and prohibited forever throughout

the Union. Third, That Abraham Lincoln may have been triumphantly reëlected President of the United States."

"I would be very glad" said Mr. Lincoln, with a twinkle in his eye. "I think I would compromise, by obtaining the first two propositions."

A democratic member had a brother mortally wounded at Chancellorsville. Mr. Lincoln's kindness to him while in the hospital at Washington, visiting him, and relieving every want, won the heart of the Congressman, and sometime afterwards he expressed his gratitude so warmly, that the President during the debate in the House on the Constitutional amendment, and while the result was doubtful, at a reception, said to the member, "your brother died to save the Republic from death by the slaveholders' rebellion. I wish you could see it to be your duty to vote for the Constitutional amendment ending slavery."

No selfish consideration was suggested; but the appeal to duty coming from the President to an honest and grateful heart, was successful. Party ties were broken, and the vote given for the amendment.

CHAPTER XXI.

RECONSTRUCTION—FREEDMEN'S BUREAU—CENSURE OF HARRIS AND LONG.

RECONSTRUCTION—AMNESTY—HENRY WINTER DAVIS' BILL—QUESTION OF ADMISSION OF SENATORS FROM ARKANSAS—FREEDMEN'S BUREAU—SPEECH OF BROOKS—EXPULSION OF LONG—CENSURE OF HARRIS—SPEECH OF WINTER DAVIS.

THE subject of reconstruction had been presented to Congress by the President in his annual Message of December 1863. He said that looking to the present and the future, with reference to a resumption of the National authority within the States wherein that authority had been suspended, he had thought fit to issue a proclamation in which he thought nothing was attempted but what was justified by the Constitution. This proclamation proffered a full pardon, with the restoration of all rights of property except as to slaves, and when the rights of third persons had intervened, on condition of an oath of fidelity to the Constitution of the United States, and support to all acts of Congress passed during the rebellion on the subject of slavery, and also the Proclamation of Emancipation.* From the persons to whom this offer of pardon was extended, were excepted, all officers of the Confederate Government, all who left judicial stations under the United States to aid the rebellion, military and naval officers of the rebel government above the rank of colonel in the army and lieutenant in the navy, and all who had been engaged in treating white or colored persons otherwise than as prisoners of war.

* Thus it will be seen, that from the beginning, Mr. Lincoln determined that reconstruction should have for its basis universal freedom.

In this proclamation Mr. Lincoln manifested his fixed determination that slavery should cease in the reconstructed Union, and that the faith of the Nation pledged to the colored race should be fully and scrupulously kept. Fidelity —fidelity to the freedmen, breathed through every paper Mr. Lincoln ever issued on the subject. In regard to the reorganization of States he said: "In some States the elements for resumption seems ready for action, but remain inactive for the want of a plan of action. By the proclamation, a plan is presented which the people are assured will not be rejected by the Executive." The plan suggested was, that when one tenth of the voters in any State who had voted in 1860, should take the required oath, and organize and reestablish a State government which should be republican in form, and no wise contravening said oath, it would be recognized by the Executive as the government of the State. He further suggested that in constituting a loyal State government, the names and boundaries of the old States might be properly and conveniently retained. This would avoid inconvenience and confusion.

Does not such a suggestion negative the idea that the State as such still existed *as a State in the Union, and a component part of the Government*, and could of itself resume its former relations to the Union? He added, in presenting the subject to Congress, "to avoid misunderstanding, that in saying reconstruction will be accepted, if presented in a specified way, is not saying it would be rejected if presented in any other way."

There was a wide difference of opinion among the friends of the President in regard to the Amnesty Proclamation. In the midst of the fierce passions and animosities growing out of the war, many thought the terms much too favorable to the rebels. But the conviction of the President was clear that when there was sincere repentance manifested by action, it was the duty of the Executive to pardon. He said, "when a man is sincerely penitent for his misdeeds, and gives satisfactory evidence of it, he can safely be pardoned."

It is known that he was very anxiously seeking the restoration of some one or more of the seceded States. He

earnestly desired to make a beginning in this direction. He desired a model for the seceded states to follow, and he looked impatiently for the day when a slave and rebellious State might return as a free and loyal member of the Union.

The mode of governing the rebellious States, and the manner of their resuming their former relations to the government, had been the subject of discussion in Congress in 1861 and 1862, but no definite action was taken. The President's Message on the subject was, on the 15th of December 1863, referred to a select committee, of which Henry Winter Davis was Chairman. In the discussion on the subject of reconstruction at this session of Congress, began those differences of opinion which have since been promoted by bad temper, intemperate and violent language, and ambition, and have finally resulted in the alienation which has grown into open hostility between Congress and the Executive during the administration of Mr. Johnson.

As has been stated, the relations of the rebel States to the National Government, and in what way they should be governed during the period which should intervene before their restoration to their former relations, and the manner in which those relations should be restored, early became a subject of anxious consideration by the thoughtful statesmen of the republic. As early as December 1861, Senator Harlan introduced a bill to establish a provisional government in the rebellious States. Mr. Sumner, in February 1862, introduced a series of resolutions declaratory of his views of the relations between the United States and the territory thus "usurped by pretended governments without legal or constitutional rights." Various bills were reported to the House, and introduced into the Senate, to establish provisional governments over the territory in rebellion. No final action was had upon these measures. They were generally regarded as premature, and it was thought that while in the condition of war, military governments were perhaps the most convenient form in which proper governmental control could be exercised. The President, under the military power had appointed provisional governors in North Carolina, Louisiana, Tennessee and Arkansas.

In December 1863, Mr. Stevens of Pennsylvania proposed the formation of a select committee to which should be referred so much of the President's message as relates to the treatment of the rebellious States. Henry Winter Davis, the brilliant orator and bold leader of the Union party in Maryland, moved to amend the resolution providing for a select committee, to which should be referred so much of the President's Message as relates to the duty of the United States to guarantee a republican form of government to the several States, which committee should report the bills necessary to prepare to carry into execution that guarantee. The resolution as amended by Mr. Davis passed, and the committee was raised, and the mover, Mr. Davis, as has been stated, was made chairman.

On the 15th of February 1864, the committee reported "a bill to guarantee a republican form of government to certain States whose governments have been overthrown." The bill among other things, authorized the appointment by the President of a Provisional Governor. It provided that as soon as military resistance should be overcome, the white male citizens should be enrolled, and conventions to frame new constitutions should be called. No person who had exercised any civil, military, state, or confederate office during the rebellion, or who had voluntarily borne arms against the United States, should vote, or be eligible as a delegate to such convention. The constitutional conventions were required to insert provisions providing : "1st, that no person who had held office under the rebellious government, state or confederate, except military officers under the grade of colonel, should vote for, or be eligible for a member of the legislature or Governor. 2d, slavery should be forever prohibited, and freedom secured to all ; and 3d, all state and confederate debts created in aid of the rebellion should be repudiated."

This bill was earnestly advocated as a bill to restore civil government in States where no governments recognized by the United States existed. The suppression of the rebellion and the overthrow of hostile governments existing in the rebel States would leave the territory which had been waging war against the United States, without any civil government which Congress could recognize. It was the clear duty *of*

Congress to inaugurate a government, republican in form, and to prescribe such conditions as would give security in the future. The bill, after much discussion, passed both Houses of Congress, but being presented to the President less than one hour before the adjournment it was not signed by him, he desiring time to consider the very grave questions raised by the act. On the 8th of July, he issued a proclamation calling attention to the provisions of the bill as a plan for restoration, which, while not approving, to the exclusion of others, and as inflexibly committing himself to this single plan, yet he presented it as worthy of consideration, and expressed his willingness to give it the Executive sanction and aid; and he announced that as soon as military resistance should be overcome in any State, and the people sufficiently returned to their obedience to the Constitution and laws of the United States, he would proceed to appoint a military governor with instructions to proceed according to the provisions of the bill.* His great objection to the bill was that it abrogated the proceedings by which free State governments had already been organized in Arkansas and Louisiana, and would require that the people of those States should begin again, and all that had been done in these States was as nothing. He was extremely anxious that some of the seceding States should as soon as possible be again recognized and represented in Congress,—believing that such an example would exert a powerful influence upon the others. Had the existing free State governments of Louisiana and Arkansas been recognized and sanctioned by the bill, his principal objection to it would have been removed. The failure of Mr. Lincoln to sign this bill regulating the subject of reconstruction, called forth from Senator Wade of Ohio, and Henry Winter Davis, a paper severely censuring him for the omission; a paper written with distinguished ability, but with a temper too personal for the discussion of a question so grave. Had Mr. Lincoln lived, no serious evil would have resulted from his failure to sign the bill referred to. I feel fully warranted from his whole administration, from the tone of his proclamation on the subject of this bill, from his uniformly kind,

* McPherson, page 318-319.

courteous and respectful treatment of Congress, and from the fact that there was really no serious difference of opinion between him and Congress, in saying that there would have been no division between Congress and himself on this subject.

Since Mr. Lincoln's death, all who have appreciated the great national misfortune resulting from the separation of President Johnson from the men who elected him Vice President, and his estrangement from Congress, must deeply regret that this bill, or some bill embodying the views of Congress, did not become a law before the accession of Mr. Johnson to the Presidency.

The subject of reconstruction, and the views of Mr. Lincoln upon the subject, were still further discussed in the Senate on the presentation of the credentials of Messrs Fishback and Baxter, claiming to be Senators elect from the State of Arkansas. On the 13th of June 1864, a joint resolution for the recognition of the free State government of Arkansas was considered. Mr. Sumner said: *

"William M. Fishback, a citizen of Arkansas, appears before the Senate of the United States, and claims membership therein. He asserts that he has been duly chosen to fill the unexpired term of Senator Sebastian, who was expelled in 1861 for complicity with the rebellion, and he produces a certificate purporting to be signed by the Governor of Arkansas.

"Shall this claimant be admitted to a seat in the Senate? Such is the immediate question. But I have said that there are other questions of the most far reaching character, which must be considered now and here; for they all enter into the present case. If we now admit the present claimant, we must also now admit that other claimant who has presented himself with like credentials, as a colleague. The question is not, therefore, shall Arkansas have one vote in this Senate? but shall it have two?

"Therefore, sir, I repeat, the decision of the question now before us rules all the questions which can arise upon the representation of Arkansas in the Congress of the United States, and also the other question of the participation of Arkansas in the election of President and Vice President for the term of four years next ensuing. The importance of such a subject cannot be exaggerated."

* Congressional Globe, 1st session 38th Congress, page 2890.

The power of the President upon the question of instituting governments in the Rebel States, is that which he possesses as Commander-in-chief of the army. This is provisional and temporary. Permanent civil government to last beyond the war, with the right of representation in Congress, and in the electoral college, cannot, Mr. Sumner contended, be initiated by the President. The National safety as well as the theory of our government, requires that it should be exercised by the law-making power of the republic.

What were Mr. Lincoln's views on the subject? He appointed military governors, and most earnestly desired the early restoration of the rebel States. But his proclamation by its very terms necessarily implied the action of Congress in the restoration of a State to the Union. Upon this question Mr. Sumner said:

"There is first the positive declaration that 'whether members sent to Congress from any State shall be admitted to seats rests constitutionally, exclusively with the respective Houses, and not to any extent with the Executive.' But the language of the proclamation and of the accompanying message plainly assumes that the rebel States have lost their original character as States of the Union.* Thus in one place the President says that 'loyal State Governments have for a long time been subverted.' But if subverted, they are no longer States. In another place he proposes 'to re-inaugurate loyal State Governments.' But a proposition to re-inaugurate, implies a new start. In another place he proposes to 'reëstablish a State Government which shall be Republican.' But we do not reëstablish a Government which continues to exist. In another place he proposes to 'set up' a State Government in the mode prescribed. But whatever requires to be set up is evidently down. In another place he seeks to guarantee and protect a 'revived State Government.' But we revive only what is dead, or at least faint. There is still another place where the President evidently looks to the possibility of a change of name, boundary, subdivision, constitution, and general code of laws in the restored State. These are his identical words: 'And it is suggested as not improper that in constructing a loyal State Government in a State, the name of the State, the boundary, the subdivisions, the constitution, and the general code of laws, as before the rebellion, be maintained.' Thus the President does not insist that even the name and boundary of a State shall be preserved. He contents

* Encyclopedia of 1864, p. 312-13.

himself with suggesting that it will not be 'improper' to preserve them 'in constructing a loyal State Government.'" *

The Senate finally adopted the following important resolution on the subject:

"*Resolved*, That a State pretending to secede from the Union, and battling against the National Government to maintain this pretension, must be regarded as a rebel State, subject to military occupation, and without title to representation on this floor until it has been re-admitted by a vote of both Houses of Congress; and the Senate will decline to entertain any application from any such rebel State until after such vote of both Houses of Congress." †

The condition of the *Freedmen*, those who had by the operations of the war, the various acts of Congress, and the Emancipation Proclamation been emancipated and made free, early attracted the attention of the humane and the patriotic. Having been bondmen, they had acquired no property. Education had been prohibited to them, the fruits of their industry had been appropriated by their masters, and thus a whole race hitherto incapable of holding property, homeless, and with little education, must, in the midst of civil war, and among a people exasperated against them, learn to take care of themselves. It was obvious that they needed kindly aid, guidance, assistance. The benevolent, religious and patriotic of the loyal states were ready to aid, and voluntary associations did aid them with food, clothing, schools, religious instruction and books. But as they were the wards of the Republic, and their able-bodied men were largely in the army fighting its battles, it was felt that the Government itself should aid and protect them. Mr. Elliot of Massachusetts, in January, 1864, reported a bill providing for the establishment of a Bureau of Emancipation. He, and its other friends eloquently urged its passage. After full discussion the bill passed the House. Going to the Senate, it was amended and modified, and coming back again to the House, was postponed to the next session.

It was during the discussion in the House on this bill on the 19th of February, 1864, that James Brooks, a democratic

* Encyclodia of 1864, p. 314.
† Congressional Globe, First Session Thirty-eighth Congress, p. 2898.

member of Congress from the city of New York, in a speech of great vigor and comprehensiveness, startled his democratic brethren by announcing the *death* of salvery! The speech was remarkable, as showing the progress of events and of public sentiment on the slavery question. Mr. Brooks had long been the editor of the New York *Express;* he was a gentleman of fine culture, a conservative whig in the days of the whig party, and a bitter opponent of abolition. But he yielded to the logic of events.*

"Sir," said he, "the abolition of slavery is a fixed fact, a fact accomplished. I must accept it. I cannot close my eyes upon it, any more than upon the sun, or upon the sunshine, the tornado or the storm. What is written is written; and I must be blind if I did not see that slavery is abolished. I cannot help it, I cannot avoid it. Massachusetts has ordained it, and the country accepts."

The eloquent gentleman exaggerated the power and influence which Massachusetts had secured by her free schools and her cultivated intellect when he exclaimed, "Massachusetts is the leading power in this land. Whatever she decrees is in all probability to be law. She exercises the same control over this vast country which stretches from the Passamaquady to the *Rio Grande*, and from the *Rio Grande* to the Pacific, that was exercised by imperial Rome on the little Tiber, from the Pillars of Hercules to the Euphrates and the Tigris. Boston, her Capital, is well called the "hub" of our universe: * * * and emancipation is a Massachusetts *thunderbolt.* And I know the spirit of Massachusetts. I know her inexorable, unappeasable, demoniac energy. I know that what she decrees, she will execute." But although Mr. Brooks announced the death of slavery, it still lived in Kentucky, and elsewhere, although it was in a dying condition. Mr. Brooks was admonished by a member from the West, "that in the days of Cromwell it was supposed that monarchy was dead in England, yet but a few years passed, and Charles II. sat upon the throne of his ancestors, and monarchy was in full sway. "God save the country," said he, "from the return of the slave Kings. Therefore let us

* Congressional Globe, First Session Thirty-eighth Congress, Part I, p. 761.

take security for the future by amending the Constitution, abolishing slavery, and prohibiting it forever."

One of the most interesting debates of this eventful session arose on the motion made by Schuyler Colfax, the Speaker of the House, for the expulsion of Alexander Long, a member of Congress from Ohio, for words spoken in debate. Long was a red-faced, portly gentleman, of violent secession sympathies, and a disciple of Vallandigham. He made a speech disapproving the war, prophesying disaster and defeat, and despotism, and declaring himself in favor of recognizing the Confederates as a Nation! General Garfield, his impulsive, generous, patriotic colleague, the same who, although a Baptist preacher, had volunteered in the war and served with courage, and ability in the field, and had distinguished himself particularly as Chief of General Rosecrans' staff at Chickamauga, immediately on Long's taking his seat, rose and asked "that a white flag might be placed between his colleague and himself." He then recalled an incident of the war occurring on the field, in which under the folds of a white flag he had approached a party of Confederates, and extending his hand to one, said to him that he respected him as a brave man, though disloyal, and a traitor. "I beheld," said he, "a brave and honest soul." "So of my colleague; I honor his bravery, his candor and his frankness." "But now," he continued, "take away the flag of truce, and I will go back within the Union lines and speak of what he has done." Then in a voice of eloquence which thrilled the galleries and the Hall, he exclaimed:

"Now, when hundreds of thousands of brave souls have gone up to God under the shadow of the flag, and when thousands more, maimed and shattered in the contest, are sadly awaiting the deliverance of death; now, when three years of terrific warfare have raged over us, when our armies have pushed the rebellion back over mountains and rivers and crowded it into narrow limits, until a wall of fire girds it; now, when the uplifted hand of a majestic people is about to let fall the lightning of its conquering power upon the rebellion; now, in the quiet of this Hall, hatched in the lowest depths of a similar dark treason, there rises a Benedict Arnold and proposes to surrender us all up, body and spirit, the nation and the flag, its genius and its honor, now and forever, to

the accursed traitors to our country. And that proposition comes—God forgive and pity my beloved State!—it comes from a citizen of the honored and loyal Commonwealth of Ohio.

"I implore you, brethren in this House, not to believe that many births ever gave pangs to my mother State, such as she suffered when that traitor was born. I beg you not to believe that on the soil of that State another such growth has ever deformed the face of nature and darkened the light of God's day. [An audible whisper, 'Vallandigham.']

"But ah, I am reminded that there are other such. My zeal and love for Ohio have carried me too far. I retract. I remember that only a few days since a political convention met at the capital of my State, and *almost* decided to select from just such material a Representative for the democratic party in the coming contest; and to-day, what claim to be a majority of the democracy of that State, declare that they were cheated, or they would have made that choice. I therefore sadly take back the boast I first uttered in behalf of my native State. * * *

"For the first time in the history of this contest, it is proposed in this Hall to give up the struggle, to abandon the war, and let treason run riot through the land! I will, if I can, dismiss feeling from my heart, and try to consider only the logic of the speech to which we have just listened. * * * * * * * * *

"Suppose the policy of the gentleman were adopted to-day. Let the order go forth; sound the 'recall' on your bugles, and let it ring from Texas to the far Atlantic, and tell the armies to come back. Call the victorious legions back over the battle-fields of blood, forever now disgraced. Call them back over the territory they have conquered and redeemed. Call them back, and let the minions of secession chase them with derision and jeers as they come. And then tell them that that man across the aisle, from the free State of Ohio, gave birth to the monstrous proposition. * * * * * * * * *

"Almost in the moment of final victory the recall is sounded by a craven people. Every man who would sanction such a sentiment deserves to be a slave."

On the following day, the Speaker, Mr. Colfax, calling Mr. Dawes of Massachusetts to the Chair, introduced a resolution for the expulsion of Long, for the reason that he had "declared himself in favor of recognizing the independence and the nationality of the so-called confederacy, now in arms against the United States, thereby giving aid,

countenance and encouragement to persons engaged in armed hostility to the United States."

Colfax was a man of fervid eloquence, of great personal kindness, and an almost universal popular favorite.

He stated that he offered the resolution in performance of a high public duty; a duty which he owed not only to his constituents at home, but to the thousands who were in the tented fields, meeting in deadly conflict the armies of the confederacy, and exposing their lives for the imperiled Union. He said with great force, that if the sentiment uttered by the member from Ohio was to go unrebuked, then the republic would have no right to complain of any foreign government which should recognize the independence of the confederacy. "You should," said he, "if such expressions are tolerated, stop shooting deserters from the Union army, for they had not turned their backs upon the flag any more influentially than he who rises in his place in Congress, and declares in favor of recognizing the confederacy as one of the nations of the earth."

Mr. Cox, an adroit, ready debater from Ohio, opposed the resolution. Taking pains most emphatically to disavow on the part of himself and colleagues, the sentiments of Long, he plead for the freedom of discussion. Harris of Maryland said:

"I am a peace man, a radical peace man, and I am for peace by the recognition of the confederacy. I am for acquiescense in the doctrine of secession. I thought I was alone; but now, thank God! there is another soul saved. I am glad to have such able aid."

He went on to say:

"The South asked you to let them go in peace. But no, you said you would bring them into subjection. That is not done yet, and God Almighty grant that it may never be. I hope that you may never subjugate the South."

Washburne of Illinois, indignant at the expression of such sentiments, immediately called him to order; the words were taken down by the clerk and made the basis of a motion by

Washburne to expel Harris, upon which motion the vote was 81 ayes to 58 noes; not being two-thirds the motion failed. General Schenck immediately introduced a motion declaring Harris to be an "*unworthy member*," and severely censuring him, which passed by a vote of 93 to 18, many of the democrats voting for it.

Perhaps the most impressive speech in favor of the resolution was made by the fiery, impetuous, yet elegant and classic Henry Winter Davis. He always commanded the full attention of the House and galleries, and on this occasion the members gathered around him, and the usually noisy House of Representatives was hushed into complete silence. He said:*

"The question which we are bound as gentlemen and as legislators to determine is, whether a gentleman, acknowledged to be respectable, believed to be sincere, entertaining and avowing purposes which do not differ from those of the chief of the rebel confederacy, or of the men in armed array beyond the Potomac, bent on ejecting us from this Hall, is the fit companion of gentlemen here, a fit depository of his constituent's vote, a safe person to be entrusted here with the secrets of the United States, a worthy guardian of the existence of the Republic? Are we to be seriously told that the freedom of speech screens a traitor because he puts his treasonable purposes in words? Does the Constitution secure the right of our avowed enemies to vote in this Hall? May a man impudently declare that his purpose here is so to vote as to promote the success of the rebellion, to embarrass and paralyze the Government in its suppression, to secure its triumph and our overthrow, to bring the armed enemy to Washington, or arrest our army lest it exterminate that enemy: then why do not the Congress at Richmond adjourn to Washington, push us from our stools, and by parliamentary tactics under the Constitution, arrest the wheels of Government? You could not expel them! Sir, that picture is history, recent history. In 1860, that side of the House swarmed with the avowed enemies of the Republic. One after one as their stars dropped from the firmanent of the Union, they went out; some with tears in their eyes over the miseries they were about to inflict; some of them with exultation over the coming calamities; some of them with contemptuous bitterness to the members in the Hall; some staid behind to do the traitor's business in the disguise of honest legislators in both Houses as long as they dared. One disgraced the Senate for one long

* Congressional Globe, 1st Sess. 38 Congress, p. 1550.

session after armed men were soaking their native soil with their blood, and now he is in the ranks of our enemies. * * *

"Suppose that in the French Assembly, when the life of France was at stake, as the life of this Nation is now at stake, and when heroic men were struggling to maintain it, some one had arisen and proposed to call back the Bourbons, and place the reins of Government in their hands —how long would he have remained a member of that body? Suppose that the day before the battle of Culloden, or the day after the battle of Preston Pans, some Jacobite had arisen in the House of Commons of England, and declared himself of the opinion that the pretender could not be expelled without the extermination of the Jacobites, and that therefore they should place him on the throne of England! Do you think the traditional liberty of speech in England would have saved him from summary expulsion? Do you think there is any law in England that could have stood between him, and, not expulsion, but death? Would not the act have been considered a crime, and the declaration of it in Parliament have been considered but an aggravation of the crime, demanding his expulsion? Would not the vote of that body have been instantaneous, and his execution swifter than that vote?

"Are we to be told here that men are to rise in this Hall, when the guns of the impending battle will echo in our ears, when we only sit here because we have one hundred and fifty thousand bayonets between us and the enemy; when Washington is a great camp, the center of thirty miles of fortifications stretching around us for our protection; are we to be told that here, within this citadel of the Nation, an enemy may beckon with his hand to the armed foe, assuring him of friends within the people's Hall, at the very center of power, and we cannot expel him?"

There are few if any finer things than the following illustration of the freedom of opinion, and its limitations:

"Surely, sir, opinion is the life of our nation. It is the measure of every right, the guarantee of every privilege, the protection of every blessing. It is opinion which creates our rulers. It is opinion that nerves or palsies their arms. It is opinion which casts down the proud and elevates the humble. Its fluctuations are the rise and fall of parties; its currents bear the nation on to prosperity or ruin. Its free play is the condition of its purity. It is like the ocean, whose tides rise and fall day by day at the fickle bidding of the moon; yet it is the great scientific level from which every height is measured—the horizon to which astronomers refer the motion of the stars. But, like the ocean, it has depths whose eternal stillness is the condition of its

stability. Those depths of opinion are not free, and it is they that are touched by the words which have so moved the House. Men must not commit treason and say its guilt is a matter of opinion, and its punishment a violation of its freedom. Men cannot swear to maintain the integrity of the nation, and avow their intention to destroy it, and cover that double crime by the freedom of speech. *That* is to break up the fountains of the great deep on which all government is borne, and to pour its flood in revolutionary ruin over the land. To punish that is not a violation of the freedom of opinion or its expression. It is to protect its normal ebb and flow, its free and healthy fluctuations, that we desire to relieve it from the opprobrium of being confounded with the declarations of treasonable purposes here, in the high and solemn assemblage of the Union."

Then in a voice that thrilled through the Representative Hall, and which brought the leaping pulse, and the deep breath of emotion, he exclaimed:

"When a Democrat shall darken the White House and the land; when a democratic majority here shall proclaim that freedom of speech secures impunity to treason, and declare recognition better than extermination of traitors; when McClellan and Fitz John Porter shall have again brought the rebel armies within sight of Washington city, and the successor of James Buchanan shall withdraw our armies from the unconstitutional invasion of Virginia to the north of the Potomac; when exultant rebels shall sweep over the fortifications, and their bombshells shall crash against the dome of the Capitol; when thousands throughout Pennsylvania shall seek refuge on the shores of Lake Erie from the rebel invasion, cheered and welcomed by the opponents of extermination; when Vallandigham shall be Governor of Ohio, and Bright Governor of Indiana, and Woodward Governor of Pennsylvania, and Seymour Governor of Connecticut, and Wall Governor of New Jersey, and the gentleman from New York city sit in Seymour's seat, and thus, possessed of power over the great centre of the country, they shall do what they attempted in vain before in the midst of rebel triumphs—to array the authorities of the States against those of the United States; to oppose the militia to the army of the United States; to invoke the *habeas corpus* to discharge confined traitors; to deny to the Government the benefit of the laws of war, lest it exterminate its enemies; when the Democrats, as in the fall of 1862, shall again with more permanent success, persuade the people of the country that the war should not be waged till the integrity of the territory of the Union is restored, cost what it might, but that such a war violates the spirit of

free institutions, which those who advocate it wish to overthrow, it should stop, for the benefit of the Democratic party, somewhere this side of absolute triumph, lest there be no room for a compromise; when gentlemen of that party in New York shall again, as in November 1862, hold illegal and criminal negotiations with Lord Lyons, and avow their purposes to him, the representative of a foreign and unfriendly power, and urge him to arrange the time of proffering mediation with a view to their possession of power and their preparation of the minds of the public to receive suggestions from abroad; and when mediation shall appear by the event to be the first step toward foreign intervention, swiftly and surely followed by foreign armed enemies upon our shores to join the domestic enemies; when the war in the cars shall begin, which was menaced at the outbreak of the rebellion, and the friends of Seymour shall make the streets of New York run with blood, on the eve of another Gettysburg less damaging to their hopes; when the people, exhausted by taxation, weary of sacrifices, drained of blood, betrayed by their rulers, deluded by demagogues, into believing that peace is the way to Union, and submission the path to victory, shall throw down their arms before the advancing foe; when vast chasms across every State shall make apparent to every eye, when too late to remedy it, that division from the South is inauguration of anarchy at the North, and that peace without Union is the end of the Republic—THEN the independence of the South will be an accomplished fact, and gentlemen may, without treason to the dead republic, rise in this migratory House, wherever it may then be in America, and declare themselves for *recognizing* their masters at the South, rather than exterminating them! Until that day, in the name of the American nation; in the name of every house in the land where there is one dead for the holy cause; in the name of those who stand before us in the ranks of battle; in the name of the liberty our ancestors have confided to us, I devote to eternal execration the name of him who shall propose to destroy this blessed land, rather than its enemies.

But until that time arrive it is the judgment of the American people there shall be no compromise; that ruin to ourselves or ruin to the Southern rebels are the only alternatives. It is only by resolutions of this kind that nations can rise above great dangers and overcome them in crisis like this. It was only by turning France into a camp, resolved that Europe might exterminate, but should not subjugate her, that France is the leading empire of Europe to-day. It is by such a resolve that the American people, coercing a reluctant Government to draw the sword, and stake the National existence on the integrity of the Republic, are now anything but the fragments of a nation before the world, the scorn and hiss of every petty tyrant. It is because the people

of the United States, rising to the height of the occasion, dedicated this generation to the sword, and pouring out the blood of their children as of no account, and avowing before high Heaven that there should be no end to this conflict but ruin absolute, or absolute triumph, that we now are what we are; that the banner of the Republic still pointing onward, floats proudly in the face of the enemy, that vast regions are reduced to obedience to the laws, and that a great host in armed array now presses with steady step into the dark regions of the rebellion. It is only by the earnest and abiding resolution of the *people*, that whatever shall be our fate, it shall be grand as the American nation, worthy of that Republic which first trod the path of Empire, and made no peace but under the banners of victory, that the American people will survive in history.

"And that will save us. We shall succeed and not fail. I have an abiding confidence in the firmness, the patience, the endurance of the American people; and, having resolved to stand in history on the great resolve to accept of nothing but victory or ruin, victory is ours. And if with such heroic resolve we fall, we fall with honor, and transmit the name of liberty committed to our keeping, untarnished, to go down to future generations. The historian of our decline and fall, contemplating the ruins of the last great Republic, and drawing from its fate lessons of wisdom on the waywardness of men, shall drop a tear as he records with sorrow the vain heroism of that people who dedicated and sacrificed themselves to the cause of freedom, and by their example will keep alive its worship in the hearts of men, till happier generations shall learn to walk in her paths. Yes, sir, if we must fall, let our last hours be stained by no weakness. If we must fail, let us stand amid the crash of the falling Republic, and be buried in its ruins, so that history may take note that men lived in the middle of the nineteenth century worthy of a better fate, but chastised by God for the sins of our forefathers. Let the ruins of the Republic remain to testify to the latest generations our greatness and our heroism. And let Liberty, crownless and childless, sit upon these ruins, crying aloud in a sad wail to the nations of the world, 'I nursed and brought up children, and they have rebelled against me.'"

Mr. Pendleton of Ohio, closed the debate on the democratic side of the House. He was a gentleman of fine culture, of graceful manners, and, as the candidate of his party for Vice President, in 1864, one of the most popular young men of his party. His speech in reply to Winter Davis was very

able. He said, alluding to the freedom of debate in the British Parliament: *

"I had intended to go back to those splendid demonstrations of English liberty which occurred at the time of our Revolution. I had intended to recall to you the words of Lord Chatham uttered time and again in the British Parliament against the then pending war in America. The inexorable hour rule bids me be brief. In January, 1776, he said:

"'The gentleman tells us America is obstinate, America is almost in open rebellion. I rejoice that America has resisted. Three million people so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest.'

"And Mr. Burke, in 1781, after the surrender of Yorktown had secured the defeat of the British in America, exclaimed:

"'The noble lord said the war was not disgraceful; it was only unfortunate. For my part I must continue to call it disgraceful, not unfortunate. I consider them all alike, victories and defeats; towns taken and towns evacuated; new generals appointed and old generals recalled; they are all alike calamities; they all spur us on to this fatal business. Victories give us hopes; defeats make us desperate; and both instigate us to go on.' * * * * 'Give us back our force, nor protract this burdensome, disgraceful, for it is not an unfortunate war.'

"And yet, were they censured? Did the 'first gentleman of England' leave the Speaker's chair to move a vote of censure or expulsion?

"But why go so far back? Within this year, in the French Chamber, Thiers, returning after twelve years of exile from office and honors, raised his voice for the liberty of France: 'Give us a free press; give us free ballot; give us free debate in these halls—these are the essentials of free government—and I will be a grateful and obedient subject of the empire. If you will not, I warn you, that as the Dauphin did not succeed Louis XVI, as the Duke of Reichstadt did not succeed the great Napoleon, as the sons of Louis Philippe are now in exile, so neither will this imperial Prince succeed to the throne of his father and perpetuate the dynasty of the second Napoleon.' And when, in the same debate, Count Morny, the President, rudely assailed a speaker who uttered like sentiments, and a Councilor of State followed it up by the use of the word 'traitor,' the indignant members with one accord rose

* Congressional Globe, First Session, Thirty-eighth Congress, p. 1586-87.

in their places and with irresistible authority demanded that the insolent menial of despotic power should recall and apologize for the offensive word.

"And shall it be said that in the American Congress there is less freedom of debate than in England under the house of Hanover, or in France, when she lies a helpless victim, scarce palpitating, in the grasp of a Bonaparte?

"The gentleman from Maryland, [Mr. DAVIS,] told us last night, in terms of eloquence which I cannot emulate, that when Lord Chatham, aged, feeble, wrapped in flannel and suffering from disease, came resting upon the arm of his still greater son, to address for the last time the British House of Lords, and to die upon the floor, he came to speak against the dismemberment of the British empire. It is true, and what did he say? 'I told you this war would be disastrous; I predicted its consequences; I told you you could not conquer America; I begged you to conciliate America; you would not heed my advice. You have exhausted the country; you have sacrificed its men; you have wasted its treasures; you have driven these colonies to declare their independence; you have driven them into the arms of our ancient and hated enemy, and now, without striking a blow, without firing a shot, cowardly under difficulties as you were truculent in success, you propose to yield through fear to France what you have refused as justice to America.' Did it not occur to the gentleman from Maryland that possibly at a future day when the history of that civil strife shall have been reproduced in this land, another Chatham may come to this House and hurl against those who are now in power these bitter denunciations because they have shown themselves unable to make an honorable peace, even as they have been unable to make a victorious war?

"The gentleman from Maryland paid a splendid tribute to the power of public opinion. He compared it to the sea, whose tidal waves obey the fickle bidding of the moon, and roll and swell and sway with restless and resistless force, and yet constitute the level from which all height is measured. 'But, like the ocean,' said he, 'it has depths whose eternal stillness is the condition of its stability. Those depths of opinion are not free.' Did he forget what

——— 'Woo'd the slimy bottom of the deep
And mocked the dead bones which lay scattered by?'
* * * * * * * *
'What sights of ugly death within mine eyes!
Methought I saw a thousand fearful wrecks!'
* * * * * * * *
'All scattered in the bottom of the sea.'

"Sir, if there be depths of public opinion where eternal stillness reigns, there gather, even as festering death lies in those ocean depths, the decaying forms of truth, and right, and freedom. Eternal motion is the condition of their purity. Did he think this resolution would for one instant retard its progress? Did he not know that the surging waves would wash away every trace of its existence? Did he suppose this puny effort would avail him? The rocks of the eternal hills alone can stay the waves of the ever rolling sea. Nothing but the principles of truth and right can stay the onward progress of public opinion in this our country as it swells and sways and surges in this mad tempest of passion, and seeks to find a secure resting place."

Before the vote was taken, the resolution was modified so as to make it a resolution of censure, instead of expulsion, and in that shape it passed by a large majority. Long and Harris certainly deserved the severest censure of the House, and the failure to expel them shows how jealously the Amemerican Congress guarded the freedom of debate.

The victories of liberty had been achieved by freedom of speech, and liberty of the press. These are the agencies by which the friends of freedom in the old world and in the new, have combated arbitrary power. By free speech and a free press, the free States were prepared to resist and subjugate the slave power. The slaveholders ever feared these great principles of American liberty. They suppressed by violence, free discussion in the slave States. The slaveholders' rebellion was an appeal from the rostrum and the ballot box to the sword. Freedom of discussion and slavery could not exist together. The slaveholders instinctively felt this; hence they suppressed by a mob the free press of Cassius M. Clay, and murdered Lovejoy at Alton. They attempted to suppress free debate in the Capitol, in the persons of John Quincy Adams, Giddings and Charles Sumner. The Republican party have ever been jealous of all encroachments upon freedom of debate. It came into power with "free speech, free press and free soil" inscribed upon its banners. Mr. Lincoln tolerated the extremest liberty of the press, even during the war.

It was during this session of Congress that the pioneer abolitionist of Illinois, Owen Lovejoy, died. He was deeply

mourned by his associates in Congress, and by the people, but by none more than by Mr. Lincoln; although in many respects they were very unlike, yet there was a warm personal attachment between Mr. Lincoln and Mr. Lovejoy. Mr. Lovejoy, though an extreme radical and ultra abolitionist, early appreciated the President, and always had full confidence in his anti-slavery policy. He defended the President from the attacks made upon him by some of the impatient anti-slavery men of the country who did not know Mr. Lincoln as he did. Only a few days before his death, Mr. Lovejoy, in writing to a friend, said: *

"I have known something of the facts *inside* during his (Lincoln's) administration, and I know that he has been just as radical as any of his Cabinet. * * * It is manifest that the great mass of the Unionists prefer him for reëlection; and it seems to me certain that the providence of God during another term will grind slavery to powder."

Mr. Lincoln fully reciprocated the friendship of Mr. Lovejoy. In a letter written soon after his death, he said:

"My personal acquaintance with him (Lovejoy,) commenced only about ten years ago, since when it has been quite intimate; and every step in it has been one of increasing respect and esteem, ending with his life, in no less affection on my part. It can be truly said of him, that, while he was personally ambitious, he bravely endured the obscurity which the unpopularity of principles imposed, and never accepted official honors until those honors were ready to admit his principles with him. Throughout my heavy and perplexing responsibilities here, to the day of his death, it would scarcely wrong any other, to say he was my most generous friend. Let him have the marble monument, along with the well-assured and more endearing one in the hearts of those who love liberty unselfishly for all men." †

The vast military operations which were being carrid on, over a territory continental in its magnitude, and with forces upon land and water unparallelled for their extent, required expenditures so vast, as to call forth the predictions of the financiers of the old world that the republic would break

* Letter to William Lloyd Garrison, dated February 22d, 1864.
† See letter of Mr. Lincoln to John H. Bryant, dated May 30th, 1864.

down under the pecuniary burdens imposed. But the people with the same patriotic zeal which sent into the Union army during the war nearly two millions of men, placed their property at the disposal of the Government.

The revenues of the country were increased by taxation, self-imposed, seven fold during the war. The popular loans, diffused through all the people, amounted to twenty seven hundred and fifty millions of dollars.

To meet the accruing interest upon the public debt, and to defray expenses, the tariff of duties on imports was largely increased; and the system of internal revenue by taxation, so amended as greatly to increase the revenues of the Government.

It was at the first session of the Thirty-eighth Congress, that the Bureau of National currency was created, and Hugh McCulloch, a distinguished banker of Indiana, was placed by President Lincoln at the head of it.

The Bureau of Military Justice was established, and Joseph Holt, a distinguished Unionist of Kentucky, placed at its head.

CHAPTER XXII.

SANITARY AND CHRISTIAN COMMISSIONS—PRESIDENTIAL CONVENTIONS IN 1864—EMANCIPATION IN THE BORDER STATES.

SANITARY AND CHRISTIAN COMMISSIONS—BALTIMORE AND PHILADELPHIA FAIRS—THE PRESIDENCY—BALTIMORE CONVENTION—LINCOLN NOMINATED—CHICAGO CONVENTION—MCCLELLAN NOMINATED—CHASE RESIGNS—FESSENDEN APPOINTED SECRETARY—LINCOLN'S VIEWS UPON RECONSTRUCTION—EMANCIPATION IN LOUISIANA, MARYLAND AND MISSOURI.

EARLY in the war, there had been organized a sanitary commission of intelligent, humane, christian gentlemen, who undertook the special duty, in conjunction with the regular medical officers of the army, of looking after and improving the sanitary condition of the soldier. Dr. Bellows of New York, a sincere and earnest christian, whose idea of Christianity consisted in doing good to others, of broad and generous patriotism, was one of the leading minds in organizing this efficient help to the Government, and was made President of the United States Sanitary Commission.

Everything which could contribute to the maintenance and preservation of the health of the army, its wholesome food, the comfort and hygiene of its camps; its hospitals, clothing and medical stores, received the constant, careful and enlightened consideration of the Commission. Voluntary associations to aid this work were organized in every section of the loyal States, and the whole people with generous liberality, placed in the hands of this Commission and in the hands of a kindred association called the Christian Commission, money, medicines, food, clothing, delicacies, wine, nurses, books, secular and religious instruction, and everything which could contribute to the welfare and relieve the wants of the soldiers,

limited only by the extent to which they could be usefully and judiciously used. Sanitary stores, surgeons and kind nurses, following the soldiers to every battle-field, where the wounded were most tenderly cared for and nursed, and the dying soothed and their last messages carefully transmitted to family and friends. By these means they robbed the battle-field of half its horrors, and every soldier felt that kindness, skill and care would constantly attend him, and would leave nothing undone to relieve his sufferings, to restore him to health; and if it was his fate to die for his country, his last hours would be soothed by affection and christian sympathy. No appeal was ever made by these organizations for money or aid, which was not promptly responded to by the American people. Contributions from the mite of the widow and humble day laborer, the pittance of the child, to the products of the farm, and the shop, and the jewels and the gold of the rich, flowed in so lavishly that many millions were contributed during the war.

The Christian Commission expended more than six millions two hundred and fifty thousand dollars of these generous contributions, and sent five thousand clergymen, selected from the best and ablest in the land, to the camps and battle fields of this war. The Sanitary Commission had seven thousand societies, and through an unpaid board of directors distributed of these most patriotic offerings, fifteen millions of dollars in supplies and money.

When the telegraph flashed over the land news of a battle, the ablest and most skillful surgeons hastened to the battle-field, to give their brethren of the army the utmost of their skill and experience. The most practical and useful, as well as the gentlest and most refined of women, those of the highest culture, and social position, left homes of luxury and ease to minister as nurses to the wounded and the sick. The minister of God was ever present to soothe and cheer those who suffered, to pronounce the blessing of God upon him who sacrificed life to his country and liberty.

In furtherance of these objects, a series of great fairs was inaugurated at Chicago, and extended to Philadelphia, New York, Baltimore, Boston, Pittsburgh, Brooklyn, and the chief

cities and towns of the Union. The North Western Fair, held at Chicago in the fall of 1863,* was a striking illustration of what may be done by the energies of a free people in a cause which appeals to their hearts and judgments.

The spontaneous uprisings of the people to aid the cause of the Union, by aiding the soldier and relieving his sufferings, were scarcely less impressive than that uprising of the people, by which, when the President asked for 75,000 volunteer soldiers, they urged his acceptance of half a million. The women of the country were the most active, efficient agents in these benevolent enterprises. With an organizing power, almost equal to that which organized armies, with a tireless energy which knew no rest or cessation, many noble women consecrated their time and their lives to these noble purposes.† The inspiration of a holy purpose, drew together all ranks and classes of the people, and infused into all the sublime resolve to leave nothing undone for the wounded, suffering soldier.

Party, sect, creed, and social distinctions melted away before the holy influence of these purposes, and all, rich and poor, laborer and millionaire, Catholic and Protestant, laid their gifts and contributions upon the altar of patriotism. Here was indeed a universal brotherhood. From the President to the day laborer, all united to honor, to relieve, to cheer the brave and sacrificing soldier. These Sanitary and Christian Commissions were the inspiration of religion and patriotism, and were the fairest flowers of Christian civilization. Their spirit was the spirit of Florence Nightingale pervading the women of a nation.

In April, 1864, a grand fair for the benefit of the Sanitary Commission, was held at Baltimore. Mr. Lincoln, accompanied by a party of friends attended. He had not visited Baltimore since his hurried, unannounced, and unrecognized passage through that city on his way to the National Capital. Then, had his presence been known, the city would

* It was to this fair that Mr. Lincoln donated the original of the Emancipation Proclamation, which brought into its treasury several thousand dollars.

† I would gladly name those most active and prominent in these movements but I fear the list would be too large, and if selections were made, where could I stop?

have become the scene of violence, tumult, and murder. Three years before, the Massachusetts Sixth, marching in good order quietly through its streets at the call of the Republic, and in obedience to its laws, had been brutally and murderously assailed by a secession mob, instigated by slaveholders. Three years before, and these slaveholders, with all their savage and brutal passions aroused, held a reign of terror in this fair city of refinement, culture, and art. Now, Mr. Lincoln was called to this city to witness the masses of its people, its honest free laborers, with its noblest and best of manhood, its highest in culture and social position, no longer controlled by slaveholders, but with a spirit as generous as patriotic, pouring into the treasury, for the relief of the Union soldiers, their offerings. The success of the Union cause, and the triumph of liberty, were no longer doubtful, and the whole loyal population of the city turned out to welcome and to cheer him as the preserver of the Republic. But cordial as was his reception by the white people, the reception given him by the negroes more deeply touched his heart. He was their *Emancipator*. Slavery was practically abolished in Maryland, and was about to be forever prohibited by Constitutional law. These warm-hearted, impulsive children of the South, impressible and enthusiastic, had gathered about the depot in thousands, awaiting his arrival. Old and young, men and women, in all costumes, some bare headed and half clad, children led by mothers, and old grey headed men and women leaning on the arms of sons and daughters, were there to welcome their deliverer. When the cars arrived, and they could see his tall form, his earnest, genial, benevolent face, they cheered, shouted, prayed, wept, with an enthusiasm which none but a crowd of negroes could exhibit. They gathered around him, tried to touch him, to kiss his hands, followed his carriage, exclaiming, "God bless you, God bless you, Massa Linkum.' A crowd of thousands of these grateful people followed him thus for a mile to his lodgings—all the way filling the air with their cries of gratitude and delight, and proclaiming him their savior and their deliverer. He was deeply affected by these spontaneous demonstrations.

At the fair, the President made a speech peculiarly Lincolnian. He could not but contrast the condition of Baltimore, April, 1864, with what it was in the Spring of 1861. On this subject, he said:

"Calling it to mind that we are in Baltimore, we cannot fail to note that the world moves. (Applause.) Looking upon the many people I see assembled here, to serve as they best may the soldiers of the Union, it occurs to me that three years ago those soldiers could not pass through Baltimore. I would say blessings upon the men who have wrought these changes, and the ladies who have assisted them. (Applause.) This change which has taken place in Baltimore, is part only of a far wider change that is taking place all over the country. When the war commenced three years ago, no one expected that it would last this long, and no one supposed that the institution of slavery would be materially affected by it. But here we are. (Applause.) The war is not yet ended, and slavery has been very materially affected, or interfered with. (Loud applause.) So true is it that 'man proposes, and God disposes.'"

The following quaint and characteristic remarks upon liberty were received with unbounded applause:

"The world is in want of a good definition of the word liberty. We all declare ourselves to be for liberty, but we do not all mean the same thing. Some mean that a man can do as he pleases with himself and his property. (Applause.) With others, it means, that some men can do as they please with other men, and other men's labor. Each of these things are called liberty, although they are entirely different. To give an illustration: A shepherd drives the wolf from the throat of his sheep when attacked by him, and the sheep of course thanks the shepherd for the preservation of his life; but the wolf denounces him as despoiling the sheep of his liberty, especially if it be a black sheep. (Applause.) This same difference of opinion prevails among some of the people of the North. But the people of Maryland have recently been doing something to properly define the meaning of the word, and I thank them from the bottom of my heart for what they have done, and are doing." * (Applause.)

* McPherson's History of the Rebellion, p. 280-81.

A few weeks later, Mr. Lincoln attended a great fair in aid of the same object at Philadelphia. Here he made a speech in which he said:

"When is the war to end? I do not wish to name a day when it will end, lest the end should not come at the given time. We accepted war and did not begin it. We accepted it for an object, and when that object is accomplished, the war will end; and I hope to God it will never end until that object is accomplished. We are going through with our task, so far as I am concerned, if it takes us three years longer. * * * I am almost tempted to hazard a prediction: It is that Grant is this evening in a position from which he can never be dislodged until Richmond is taken."

In the midst of the convulsions of civil war, a President was to be elected. Before entering upon those grand campaigns of Grant, and Sherman, and Sheridan, which terminated the war, crushing the slaveholders' rebellion, and establishing National Union based on universal freedom, I will describe briefly the political movements which led to the re-nomination and election of Mr. Lincoln.

As the year of the Presidential election came, although the progress of the war indicated the final triumph of the Union cause, yet the nation felt the drafts which had been made upon its resources. Call after call for men to fill up the wasted armies of the Republic had been issued. Draft after draft had been made. Taxation, voluntarily imposed had been borne and increased until nearly every article of necessity, as well as of luxury, was burdened with the war tax; meanwhile the nation was rolling up a debt stupendous and fearful in its magnitude, and no immediate end of these burdens seemed at hand. The people could not see the end of their sacrifices. Many disasters had befallen the arms of the Republic. There was an active, hostile, political organization, eager to obtain power, always ready to seize upon the faults and errors of the administration; and besides, there were many ambitious men of the Union party, who, with their friends, honestly believed that the best interests of the country required a change of administration. There were candidates for the Presidency, among the Generals whom

Mr. Lincoln had felt it his duty to relieve from command, and even in his own Cabinet were aspirants for the Presidency. The attention of the world was directed to this election, occurring in the midst of such a tremendous civil war, as the most fearful test to which our institutions could be subjected. There was abroad in the land party organizations, some of them of a secret character, which bold and ambitious men might use for dangerous purposes. All close observers are aware that the passions, and prejudices, and convictions of men in time of war, and especially of civil war, become strongly excited and are difficult to control, and that men often throw off at such periods the restraints of law and of moral right, and are easily led to adopt any means to secure their ends.

While politicians, and a majority of both Houses of Congress, and the great leaders of the Metropolitan press, early in 1864, were not favorable to the reëlection of Mr. Lincoln, it was equally clear that the great mass of the people, with that instinctive good sense which characterized them throughout the war, were in favor of continuing him in the Executive chair. The people knew Mr. Lincoln, they comprehended and appreciated his greatness long before the politicians. They never for a moment doubted his perfect honesty, his entire devotion to his country; they knew his unselfishness, and felt that their treasure, their liberties, and their laws, everything, would be safe in his hands. To use his own homely illustration, "they thought it unwise to swap horses while fording a stream." The people said, "we will not change pilots in the midst of the storm." Mr. Chase, the able and distinguished Secretary of the Treasury, was more than willing to be the Union candidate, but when Ohio, his own State, through its legislature, passed resolutions in favor of Mr. Lincoln, he yielded gracefully to the voice of the people and withdrew from the canvass.

The truth was, the minds of the people were fixed upon the great contest for National existence, and the overthrow of slavery, and were impatient of controversies among Union leaders. The opposition to Mr. Lincoln, talented, eloquent, zealous and active, and supported by many of the leading

newspapers of the country, scarcely produced a ripple on the wave of public sentiment, which rolled on in favor of Mr. Lincoln's reëlection. The Republican Convention of New Hampshire, in January, 1864, declared Mr. Lincoln to be the people's choice for the Presidency. Connecticut, New Jersey, and Pennsylvania followed; Maryland, Minnesota, Kansas, California, Indiana and Illinois did the same. It became obvious that the masses of the people and the soldiers, loved and fully trusted the President. They knew that his hands were clean, and his heart was honest and pure. They knew there was no bribe large enough, no temptation of wealth or power, which could seduce his integrity. Hence their instinctive sagacity settled the Presidential question, and the politicians and editors soon acquiesced.

The National Convention was called to meet at Baltimore on the 8th of June. A great effort was made by the opponents of Mr. Lincoln to postpone the Convention, but these efforts failed.*

*The following letter will show the spirit in which the friends of Mr. Lincoln met this effort:

"*To the Editors of the Evening Post:*

"I have received a printed circular to which several distinguished names are attached, urging the postponement of the National Convention.

"Believing that such postponement would be most unwise and dangerous to the loyal cause, I ask the privilege, through the columns of the *Evening Post*, very briefly to give my reasons for such belief.

"I concur most fully with the gentlemen who signed the paper referred to, that it is very important that all parties friendly to the Government should be united in support of a single candidate (for President,) and that when a selection shall be made it shall be acquiesced in by all sections of the country, and all branches of the loyal party.

"I am perfectly convinced that the best means of securing a result so essential to success, is an early Convention, and that nothing would be more likely to prevent such union than its postponement.

"The postponement would be the signal for the organization of the friends of the various aspirants for the Presidency, and for the most earnest and zealous canvass of the claims, merits, and demerits of those candidates.

"If the time should be changed to September, we should see the most violent controversy within the Union ranks known in the history of politics.

"Is such a controversy desirable, and shall we encourage and stimulate it by postponing the convention?

"I think I am fully warranted in stating that up to this time there has been no considerable difference of opinion among the people on the Presidental question. It is a most significant fact that, notwithstanding the efforts made in this city and elsewhere in behalf of prominent and able men in military and civil life; notwithstanding a thoroughly organized, able, ardent, and zealous opposition to President Lincoln here, embodying great abilities and abundant means; with the co-operation of some of the great leading newspapers of the Union, and with the aid of some of the distinguished names of trusted national leaders attached to your petition;

A movement in behalf of General Fremont was attempted at Cleveland, Ohio, in May, 1864, when he received the nomination for the Presidency, from a Convention calling itself radical, but it was so obviously without popular support that Fremont retired before the election, and his friends

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yet all this has produced no perceptible effect upon public opinion. The minds of the people are fixed upon the great contest for National existence, and are impatient of quarrels and controversies among ourselves. The opposition to the President in our own party, talented, eloquent, zealous, and active as it is, has scarcely produced a ripple on the wave of public sentiment which is so strongly running in favor of Mr. Lincoln's re-election.

"There is no organization among the friends of the President, they are doing nothing; but this action of the people is spontaneous, unprompted, earnest, and sincere. State after State holds its convention, appoints its delegates, and without a dissenting voice instructs them to vote for Mr. Lincoln. This popularity of the President, this unanimity of the people, is confined to no section, but East as well as West, middle State and border State, they all speak one voice, 'Let us have Lincoln for our candidate.' Do I exaggerate? Maine speaks for him on the Atlantic, and her voice is echoed by California from the Pacific, New Hampshire and Kansas, Connecticut and Minnesota, Wisconsin and West Virginia, and now comes the great State of Pennsylvania, seconding Maryland; one after another, all declare for the re-election of the President. Is it not wiser to recognize and accept this great fact than to struggle against it?

"The truth is, the masses of the people, and the soldiers everywhere, trust and love the President. They know his hands are clean and his heart is honest and pure. They know that the devil has no bribe big enough, no temptation of wealth or power, which can seduce the integrity of Abraham Lincoln.

"Hence the people—the brave, honest, self-denying people—the people who have furnished the men, and who are ready to pay the taxes necessary to crush the rebellion, and who are determined to establish National unity based on liberty—they are more wise, less factious, and more disinterested than the politicians. Their instinctive sagacity and good sense have already settled the Presidential question. It cannot be unsettled without a convulsion which will endanger the Union cause. A postponement of the Convention would not prevent Mr. Lincoln's re-nomination; it might possibly endanger his election.

"Acquiescence, union, and harmony will follow the June Convention. Delay encourages faction, controversy, and division. I say harmony will follow the June Convention. I say this because I believe General Fremont and his friends are loyal to liberty and will not endanger its triumph by dividing the friends of freedom. I say this because I believe the radical Germans who support Fremont, who have done so much in this contest to sustain free institutions, cannot be induced by their enthusiasm for a man, to desert or endanger the triumph of their principles.

"The hour is critical. We approach the very crisis of our fate as a Nation. With union and harmony, our success is certain.

"The Presidential election rapidly approaches. We cannot divert attention from it by postponing the Convention. We cannot safely change our leaders in the midst of the storm raging around us.

"The people have no time for the discussions which must precede and follow such a change.

"I repeat, we cannot safely or wisely change our leader in the midst of the great events which will not wait for conventions. Such is the instinctive, nearly universal judgment of the people. Let, then, the Convention meet and ratify the choice which the people have already so clearly indicated.

"I am, very truly and respectfully yours,

"ISAAC N. ARNOLD,

Washington, May 2, 1864."

generally supported Mr. Lincoln. An attempt was made to bring out General Grant as a candidate, but the people felt that he was more useful at the head of the armies; and General Grant, with the good sense which has ever marked his career, and the fidelity and integrity which is equally characteristic, gave no countenance to the movement, but refused to be made the means of dividing the great Union party.*

The National Union Convention met at Baltimore on the 8th of June, and was organized by electing as temporary Chairman Rev. Robert J. Breckinridge of Kentucky, a stern old Presbyterian Unionist, and its permanent President was Ex-Governor William Dennison of Ohio, one of that band of patriotic Governors of the loyal States who did so much to strengthen the hands of the President in maintaining the Government, and prosecuting the war. The Convention embodied in its platform an endorsement of the administration of Mr. Lincoln. It pledged the Union party to aid the Government to the utmost, in quelling the rebellion by force of arms — approved the avowed determination of the Government to accept no terms of compromise with the rebels except unconditional surrender, and called upon the administration to prosecute the war with all possible vigor. It resolved that slavery was the cause, and still constituted the strength of the rebellion, and as it was hostile to Republican Government, that justice and National safety demanded its complete extirpation from the Republic; and while approving the anti-slavery acts of Congress and the Proclamation of Emancipation by which a death blow was aimed at this gigantic evil, the Convention declared in favor of the amendment of the Constitution, which should terminate and forever prohibit slavery within the limits of the Republic. The Convention also resolved, that it approved the employment as Union soldiers of men heretofore held in slavery; and that all men employed in the armies, without regard to color,

* Mr. Lincoln said to a friend in regard to the attempt made to bring General Grant into the field as a candidate for President; "If Grant could be more useful in putting down the rebellion, as President, I would be content. He is pledged to our policy of emancipation, and the employment of negro soldiers; and if this policy is carried out, it won't make much difference who is President." It was evident Mr. Lincoln's heart was fixed upon the result of the war, and not on himself.

should receive the full protection of the laws of war; and that any violation of these laws should meet with prompt redress; that the thanks of the American people were due to the soldiers and sailors of the army and navy, and that the Nation owes to those who survive, ample and permanent provision; and that the memories of those who have fallen, should be ever held in grateful remembrance. That the National faith pledged to the redemption of the public debt must be kept inviolate, and for that purpose, economy and rigid responsibility in the public expenditures, and a vigorous and just system of taxation were recommended. The Convention also declared its approval of the position taken by the Government, that the people of the United States could never regard with indifference the attempt of any European power to overthrow by force or supplant by fraud the institutions of any Republican Government on this continent.

Abraham Lincoln was unanimously nominated for President, and Andrew Johnson of Tennessee, for Vice President. Vice President Hamlin, an able man, of unblemished integrity — ever true and faithful, and entirely unexceptionable, was dropped, and Johnson, from motives of policy, was nominated in his place. Johnson's heroic devotion to the Union cause, his fidelity to the Union when so many proved false, his bold denunciation of treason and traitors in the Senate, had secured him the admiration of the people of the North. But it is believed that if the New England delegates had been unanimously and earnestly in favor of re-nominating Mr. Hamlin, he would have received the nomination. The opposition to him was based on no public ground, or objection of personal fitness, but arose from the jealousies of several politicians, and from the conviction that it was wiser to take what was called a war Democrat for Vice President.

Mr. Lincoln gratefully accepted the nomination, and expressed his approval of the platform or declaration of principles of the Convention; especially did he emphasize his cordial approval of the committal of the party to the great Constitutional amendment prohibiting slavery forever throughout the nation.

Such an amendment he declared to be a fitting and necessary conclusion to the final success of the Union cause. He said, with his usual modesty, "I view this call to a second term in no wise more flattering to myself, than as an expression of the public judgment, that I may better finish a difficult work, in which I have labored from the first, than could any one less severely schooled to the task." Thus the vigorous prosecution of the war, without compromise, to the complete suppression of the rebellion, and the utter extirpation of slavery, became the great issues of the Presidential campaign.

Although first called to meet on the 4th of July, the Democratic Convention met at Chicago on the 20th of August, to which time it had been postponed, and was presided over by Ex-Governor Horatio Seymour of New York. General McClellan was nominated for the Presidency, and George H. Pendleton of Ohio for Vice President. Clement C. Vallandigham having returned North from the rebel lines to which he had been sent, was an active and prominent member, and Chairman of the Committee on Resolutions. Vallandigham, whose sentence by a Military Court, of imprisonment during the war, had been kindly modified by the President, so that his sentence was that he should be sent within the rebel lines, to remain during the war, returned to Ohio, by way of Canada, and immediately became more prominent than ever as a leader of his party. On being interrogated one day, as to whether the Government would re-arrest Vallandigham, Mr. Lincoln said he had not been *officially* informed of his return, but he added, "I am inclined to think his political friends in the North will find him as troublesome and as much of an elephant on their hands, if he has returned, as he has ever been to the Administration. Perhaps the best way to treat him," he added, jocosely, "would be to do as the man did who had been annoyed with a very troublesome wife, and who had been relieved by her absconding, and who by no means desired her return, and who therefore advertises *one cent* reward for her return. The Government had perhaps better advertise *one cent reward* for the arrest and return to his place of confinement of Clement L. Vallandigham."

The second resolution in the platform of the Chicago Convention was in these words:

"*Resolved*, That this Convention does explicitly declare, as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretence of military necessity, or war power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private rights alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty and the public welfare demand *that immediate efforts be made for a cessation of hostilities with a view to an ultimate Convention of the States*, or other peaceable means, to the end that at the earliest practicable moment, peace may be restored on the basis of the Federal Union of the States."*

Thus, this great party, in the midst of war, did "explicitly declare," that after four years of failure to restore the Union by the experiment of war, "*immediate efforts should be made for a cessation of hostilities*, with a view to a Convention, or other peaceable means, to the end that at the earliest practicable moment peace might be restored on the basis of the federal Union of the States."

The passage of this resolution destroyed utterly any prospect which the party may have had of being successful. It drove from its support thousands of war Democrats. The spirit of the resolution was rebuked in the able, and in some parts patriotic letter of General McClellan, accepting the nomination. He said:

"The Union must be preserved at all hazards. I could not look in the face of my gallant comrades of the Army and the Navy who have survived so many bloody battles, and tell them that their labors and the sacrifices of so many of our slain and wounded brethren had been in vain, that we had abandoned that Union for which we have so often perilled our lives. A vast majority of the people, whether in the Army and Navy or at home, would, as I would, hail with unbounded joy the permanent restoration of peace, on the basis of the Union under the Constitution, without the effusion of another drop of blood, but no peace can be permanent without Union."

Thus the issues were distinctly made up, to be submitted

* Annual Cyclopedia, 1864, page 793.

to the people at the ballot-box. The Union Republican party were for the most vigorous prosecution of the war to the complete suppression of the rebellion; declaring that no terms of peace should be offered except based upon the unconditional surrender of the rebels; that justice and National safety required the utter and complete extirpation of slavery, the cause of the war, and approving the President's proclamation. The great Union party declared itself in favor of the Constitutional Amendment which should terminate and forever prohibit slavery throughout the Republic. The Democratic party declared the war "*a failure*," and that peace should be immediately sought through a "National Convention,"or other feasible means.

Such were the momentous issues submitted to the decision of the American people. Then followed one of the most exciting political canvasses ever made in the United States. The people wanted peace, but they believed peace was to come through successful war. They looked for the sun of peace to rise as it did ere long, from some great battle field in Virginia; a battle field on which the hosts of the slaveholding chiefs would be scattered and overthrown. They believed the path to peace was through Richmond, and that its plenipotentiaries were not Vallandigham, nor Seymour, nor Wood; but Grant and Sherman and Sheridan and Farragut. Such a peace as they would negotiate, would give to the American people a restored Union, universal liberty, and a continental republic. It would make in fact as in name, one people, and one nation, a territory extending from sunrise to sundown; from the land where water never thaws, to the clime where it never freezes. The people felt that they had in Mr. Lincoln, a Chief Magistrate of clean hands and pure patriotic heart. Unpolished and somewhat rude he might be, but under his rough exterior they saw the true diamond; the hero, and the Christian statesman.

Early in July 1864, Mr. Chase resigned the position of Secretary of the Treasury. He had been as has been stated, a very distinguished Senator, an able Secretary, and as a leader in the great anti-slavery movement, was as faithful to liberty as the needle to the pole. But he had the fault of

most great men, he was ambitious; he wished to be President, and while holding a position in the Cabinet of Mr. Lincoln, permitted his friends to seek his elevation over that of him in whose political family he occupied a relation so confidential. He permitted his subordinates to seek his elevation over that of his chief. He used the power which Mr. Lincoln gave him, to place in office his own friends and partizans, and those partizans used that power to try to pull Mr. Lincoln down and set Mr. Chase up. But the President, while he was conscious of this on the part of the friends of the able Secretary, was himself so great and so magnanimous, that subsequently when a vacancy occurred in the great office of Chief Justice, he did not hesitate to appoint Mr. Chase to that high position, because he believed him the best fitted for it. This flaw in the diamond, this blemish upon the character of the Chief Justice, I would not mention, were it not necessary to state the truth, to bring out the great elevation and magnaminity of the President. For this reason I dare not withhold the facts.

During the canvass for nomination and election, Mr. Lincoln never used his power nor patronage to secure his nomination or election.* Indeed such was his scrupulous delicacy on this subject, that Preston King was sent to Washington on one occasion, by the New York politicians, to enquire of Mr. Lincoln, as King said, "whether Mr. Lincoln supported the Administration, and the ticket nominated at Baltimore?"

William Pitt Fessenden, Chairman of the committee on Finance, of the Senate, was appointed the successor of Mr.

* The following note, written in behalf of a friend in Illinois, to an office-holder who was charged with using his power against his friend, will illustrate his views:

"EXECUTIVE MANSION, WASHINGTON, July 4th, 1864.

"To ——— ESQ.

"*Dear Sir:* Complaint is made to me that you are using your official power to defeat Mr. ———'s nomination to Congress. I am well satisfied with Mr. ——— as a member of Congress, and I do not know that the man who might supplant him would be as satisfactory. But the correct principle I think is, that all our friends should have *absolute freedom* of choice among our friends. My wish therefore is, that you will do just as you think fit with your own suffrage in the case, and not constrain any of your subordinates to other than he thinks fit with his. This is precisely the rule I inculcated and adhered to on my part, when *a certain* other nomination now recently made was being canvassed for. Yours, very truly,

"A. LINCOLN."

The closing paragraph refers to his own nomination for the Presidency.

Chase. He was reluctant to accept the appointment. Mr. Lincoln playfully said to him that if he did not accept, he would send him a prisoner to Fort Lafayette. He was an honest, straight forward Yankee, with hard common sense, and during his brief service as Secretary, discharged the duties of the place with fidelity and admirable ability.

We have already seen that the President had inaugurated measures looking towards the restoration of the seceded States to their "proper practical relations to the Union." Upon this subject Mr. Lincoln has been both misunderstood and misrepresented. There was early manifested a division of opinion among his friends on the question of the effect of secession and the war. He held that no act of secession or war could absolve the citizen of any State from his allegiance to the Republic. He held that the war constituted the rebel States public enemies, and that as a republican government had been overthrown in the rebellious States, it was the duty of the United States to restore republican governments in those States, and guarantee the existence thereof in each of them.

He said in his last carefully considered speech on this subject, made on the 11th of April, 1865:

"I have been shown a letter on this subject, supposed to be an able one, in which the writer expresses regret that my mind has not seemed to be definitely fixed upon the question whether the seceded States, so called, are in the Union or out of it. It would perhaps add astonishment to his regret, were he to learn that since I have found professed Union men endeavoring to answer that question, I have purposely forborne any public expression upon it. As appears to me that question has not been, nor yet is a practically material one; and that any discussion of it, while it thus remains practically immaterial, could have no effect other than the mischievous one of dividing our friends. As yet, whatever it may become, that question is bad as the basis of a controversy, and good for nothing at all—a mere pernicious abstraction. We all agree that the seceded States, so called, *are out of their proper practical relation with the Union*, and that the sole object of the government, civil and military, in regard to these States, is to again get them into their proper practical relation. I believe that it is not only possible, but in fact easier to do this without deciding or even considering whether those States have ever been out of the Union, than with

it. Finding themselves safely at home, it would be utterly immaterial whether they had been abroad. Let us all join in doing the acts necessary to restore the proper practical relations between these States and the Union, and each forever after innocently indulge his own opinion whether, in doing the acts, he brought the States from without into the Union, or only gave them proper assistance, they never having been out of it." *

In the same speech he states his deliberate views of what ought to be done:

"We simply must begin with, and mould from disorganized and discordant elements. Nor is it a small additional embarrassment that we, the loyal people, differ among ourselves as to the mode, manner, and measure of reconstruction. As a general rule, I abstain from reading the reports of attacks upon myself, wishing not to be provoked by that to which I cannot properly offer an answer. In spite of this precaution, however, it comes to my knowledge that I am much censured for some supposed agency in setting up and seeking to sustain the new State government of Louisiana. In this I have done just so much and no more than the public knows. In the Annual Message of December 1863, and the accompanying Proclamation, I presented a plan of reconstruction, as the phrase goes, which I promised, if adopted by any State, would be acceptable to and sustained by the executive government of the Nation. I distinctly stated that this was not the only plan which might possibly be acceptable, and I also distinctly protested that the *Executive claimed no right to say when* or *how* members should be admitted to seats in Congress from such States."

Mr. Lincoln always, as in this speech distinctly disclaimed any right "to say *when* or *how* members of Congress should be admitted to seats in Congress from these States." This he always declared was a question for Congress—for the law-making power. "When" and "how" members of Congress should be admitted to seats from the rebel States, I distinctly protested the Executive claimed no right to determine."

Congress was to decide, not simply as to qualifications and elections of members—but "when" and "how" members should be admitted from these States. "When" it would be proper and safe to admit members from rebel

* Raymond's Life and State Papers of Lincoln, page 686.

states, and "how" to admit them was not, in the deliberate judgment of Mr. Lincoln a question for the Executive, but for Congress and the law making power. Not, let it be observed, a question for each House to decide; but a question for Congress—that is, both houses acting as the law making power of the Government. A member of his Cabinet, he says, suggested that he omit the protest against his own power in regard to the admission of members of Congress, but he would not. Mr. Lincoln's suggestion in regard to the convenience of preserving the original boundaries and names of States, has already been adverted to.

A careful review of Mr. Lincoln's whole course on the subject of reconstruction in Louisiana, Arkansas, and Tennessee, and his views as expressed in all his messages and speeches, will demonstrate that he claimed nothing but the right to govern the rebel States as Commander-in-chief during the war, and to initiate proceedings for the reconstruction of civil government, but that the question of deciding "whether" a state which had been in rebellion was in a condition to send members to Congres and participate in the Government, was a question for the *law-making power.*

As we have already seen, Mr. Lincoln was anxious for the return of the seceded States. He was anxious that they should return clothed with freedom, and in their "right minds," and with the devils of slavery cast out. Louisiana seemed to be most favorably situated to take the lead and furnish a precedent for the others. Under the vigorous government of Butler, and the more conciliatory administration of Banks, the cause of emancipation and loyalty going hand in hand, had grown and strengthened. One of the most active friends of emancipation was Michael Hahn, elected member of Congress from that State. On his return from Washington on the 14th of November 1863, fresh from the inspiration of Mr. Lincoln's views, he made a speech strongly advocating a convention, and emancipation. He said:

"As soon as the Union lines are extended to embrace a few more parishes, which can be done at any time, we should reorganize our State government, and place ourselves completely in line with the loyal

States of the Union. There is no reason why we should not all unite in this great movement, and put an end to the stigma of disloyalty which still rests upon the fair fame of our noble State. The whole country looks to us for immediate action in this matter. The President feels a deep interest in it, and with that tender regard for the rights of the people which distinguishes his administration, is anxious to give you the selection of your own civil officers."

In a letter to General Banks dated August 5th, 1863, urging emancipation under a new constitution, Mr. Lincoln said, "If Louisiana shall send members of Congress, their admission to seats will depend, as you know, upon the respective Houses, and not upon the President. While I very well know what I would be glad for Louisiana to do, it is quite a different thing for me to assume direction of the matter. I would be glad for her to make a new constitution, recognizing the Emancipation Proclamation, and adopting emancipation in those parts of the State to which the Proclamation does not apply."

In a letter to General Banks dated December 26, 1863, Mr. Lincoln said: "I wish you to take the case as you find it, and give us a free State re-organization of Louisiana in the shortest possible time." On the 11th of January, 1864, General Banks issued his proclamation calling for the election of State officers. Michael Hahn was nominated for Governor upon the platform of freedom. He and the Free State ticket were elected, and these officers were on the 4th of March, 1864, installed in office. On the 13th of March, Mr. Lincoln wrote to the Governor elect the following letter of congratulation:

"I congratulate you on having fixed your name in history as the first Free State Governor of Louisiana. Now you are about to have a convention, which, among other things, will probably define the elective franchise. I barely suggest, for your private consideration, whether some of the colored people may not be let in, as, for instance, the very intelligent, and *especially those who have fought gallantly in our ranks.* They would probably help in some trying time to come, to keep the jewel of liberty in the family of freedom. But it is only a suggestion, not to the public, but to you alone."

General Banks and Governor Hahn issued proclamations calling an election for delegates to a State Convention for the revision and amendment of the State Constitution. The election took place on the 28th of March. Out of one hundred and fifty delegates to which the whole State was entitled, ninety-eight were elected. The convention met at New Orleans on the 6th of April, and on the 11th of May, by a vote of seventy to sixteen, it adopted a clause of the New Constitution by which slavery was prohibited forever in that State.

The constitution was, on the 5th of September, 1864, submitted to a vote of the people, and adopted by a vote of 6,836 to 1,566. An election was held and officers elected under the New Constitution. The Legislature elected Senators to the United States Senate, and Presidential electors. But as Congress did not admit the members and Senators elect for Louisiana, the Presidential votes of the State in 1864 were not counted.

It will be remembered that Andrew Johnson was, on the 3d of March, 1862, appointed Provisional Governor of Tennessee by the President. It will also be remembered that Mr. Lincoln was induced by Mr. Johnson and others, not to include the State of Tennessee in the Proclamation of Emancipation. The provisional Governor was authorized to exercise "such powers as might be necessary and proper, to enable the loyal people of Tennessee to present such a republican form of government as will entitle the State to the guarantee of the United States thereof."

A convention of the Union people of Tennessee was called by the Provisional Governor, and met on the 8th of January, 1865, at the Capital in Nashville. The convention proposed among other things, the following most important change in the constitution of the State:

"Section 1. That slavery and involuntary servitude, except as a punishment of crime, whereof the party shall have been duly convicted, are hereby forever abolished and prohibited throughout the State.

"Sec. 2. The Legislature shall make no law recognizing property in man."

On the 26th day of January, 1865, Governor Andrew Johnson issued his proclamation, reciting the proceedings of the Convention—by which certain amendments to the Constitution were passed, and submitted to the people for ratification or rejection, providing for a vote of the *loyal* people of Tennessee, and those only upon the amendment. Governor Johnson earnestly recommended the loyal people to come forward and ratify and confirm the action of said Convention: "Strike down," said he, "at one blow, the institution of slavery—remove the disturbing element from your midst, and by united action restore the State to its ancient moorings again, and you may confidently expect the speedy return of peace, happiness and prosperity."

The election was held on the 22d of February 1865, and on the 26th of February the Governor announced by proclamation that Tennessee had adopted the proposed amendments, and that she had by her own voluntary act become a free State. "By this one solemn act at the ballot box," said he, "the shackles have been stricken from the limbs of two hundred and seventy-five thousand slaves in the state. The unjust distinction in society fostered by an arrogant aristocracy, based upon human bondage, has been overthrown, and our whole social system reconstructed on the basis of honest industry and personal worth."

He then in eloquent terms, pointed out the future greatness of that State, based upon free labor and intelligence. In this great revolution in Tennessee, Andrew Johnson, William G. Brownlow, Horace Maynard and James S. Fowler were among the prominent leaders.

To the bold leadership, and the unrivalled eloquence of Henry Winter Davis, is Maryland largely indebted for her position as a free State. He inaugurated the movement and led it forward to final success. He had able and eloquent assistants, among whom were Creswell and Thomas, Webster and Bond, but he was their acknowledged and natural leader. The emancipation movement was organized early in 1863; from that time until its triumph, Davis was ubiquitous, and

* See House Doc. No. 55, 1st Sess. 39th Congress, containing a history of reconstruction in Tennessee.

with a voice of eloquence, such only as liberty can inspire, and with a pen which scattered "thoughts that breathe" and "words that burn," he traversed the State, pleading for universal emancipation. In the beginning his followers were few, but they constantly and rapidly increased until they revolutionized the State.

Maryland had turned a deaf ear to the earnest entreaties of Lincoln in favor of gradual and compensated emancipation. This new movement had the President's earnest sympathy, and his active coöperation. It would accomplish more summarily than he had proposed the great end of abolition. At the election of 1863, the emancipation party had elected a majority of the Legislature. In January, 1864, a resolution was adopted, declaring that the true interests of Maryland demand that the policy of emancipation should be immediately inaugurated, and that the Legislature would submit to the people a call for a convention. A bill calling a convention was accordingly passed. The people by a majority of more than 12,000 voted in favor of the convention. Delegates were elected of which sixty-one were in favor of, and thirty-five opposed to emancipation.

The Constitution framed by this convention contained two most important changes.

ARTICLE 4 *provided* "That the Constitution of the United States, and the laws made in pursuance thereof, being the supreme law of the land, every citizen of this State owes a paramount allegiance to the Constitution and Government of the United States, and is not bound by any law or ordinance of this State in contravention or subversion thereof."

ARTICLE 23 *provided* "That hereafter, in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted; and all persons held to service or labor as slaves are hereby declared free." *

Thus the organic law of the State was made expressly to declare that the citizen owed paramount allegiance to the Republic, and not to a local division of it. This destroyed the germ of secession — the other article extirpated slavery.

* Appleton's Encyclopedia, 1864.

This constitution was submitted to the vote of the people on the 12th and 13th of October, 1864.

During the canvass, Mr. Lincoln addressed a letter to the people of Maryland, earnestly urging the adoption of this Constitution, and reiterating his often expressed desire that all men should be free.

The Constitution was adopted by a majority of the people, and Maryland, an old patriotic and noble State, of Revolutionary fame, took her position among the free States. This result was most gratifying to the loyal people of the United States, and to none more so than to the President. He regarded it as more important than a battle gained; indeed he thought it decisive of the war.

At the close of the struggle, on the bright autumnal evening of the 19th of October, 1864, a crowd of joyous Marylanders came with music, banners, and exulting cheers, to the White House to exchange congratulations with the President on the result. He said to them, among other things, "most heartily do I congratulate you, and Maryland, and the Nation, upon this event! I regret that it did not occur two years sooner, which I am sure would have saved to the Nation more money than would have met all the private loss incident to the measure. But it has come at last, and I sincerely hope its friends may fully realize all their anticipations of good from it, and that its opponents may, by its effects, be agreeably and profitably disappointed."

The seeds of emancipation in Missouri had been sown by Benton, the Blairs, B. Gratz Brown, and others.

At the time of the election of Mr. Lincoln to the Presidency, the city of St. Louis was a free-soil city, and elected as its Representative to Congress F. P. Blair, Jr., who was then the bold and unflinching leader of the anti-slavery party of Missouri. The energy with which he had carried on the conflict against the slaveholders, had made him an object of peculiar interest throughout the free States, and no young man in the Republic was regarded as having brighter political prospects. On the opening of the Thirty-seventh Congress he was largely supported for Speaker. He was a great favorite with Mr. Lincoln, who had watched with deep inter-

est and gratification the gallant and successful fight he had made against slaveholders in Missouri. His services to the anti-slavery cause, and his most efficient services to the country in thwarting the schemes of the conspirators in taking Missouri "out of the Union," as they termed secession, endeared him to Mr. Lincoln, who stood by him and the Blair family, long after they became unpopular, with a tenacity and firmness which would not give them up, until the Union party, speaking through its National Convention, constrained the retirement of Montgomery Blair from his Cabinet.

St. Louis, and some other portions of Missouri, were largely settled by intelligent and liberty loving Germans, who came from Europe with intense hostility to slavery in every form. They rendered powerful aid to the emancipation movement. The brief administration of Fremont in Missouri contributed to the same result.

A convention was held in this State in 1863, which decided in favor of gradual, instead of immediate emancipation. This was not satisfactory to the people. The car of progress, in favor of universal liberty, was now under full headway, and the radicals who constituted a majority of the loyal people demanded immediate and unconditional emancipation. They demanded a new convention, and an election to determine whether one should be held, was had on the 8th of November, 1864. The people decided by the overwhelming majority of 37,793, in a vote of 89,215, in favor of a convention, and three-fourths of the members elected were of the radical anti-slavery party.

The convention met on the 6th of January, 1865, at St. Louis, and on the 11th the following ordinance was reported:

"*Be it ordained by the people of the State of Missouri in convention assembled*, That hereafter in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted, and all persons held to service or labor as slaves, are hereby declared free."

After debate, the ordinance was adopted by a vote of 59 ayes to noes 4, and then the following proceedings took place.

The convention paused in its business; the Rev. Dr. Elliott, a distinguished follower of Dr. Channing, was called forward, and, amidst a stillness and awe which ever accompanies the highest example of the moral sublime, the whole convention and the crowded audience rising, with grateful and reverent hearts, he offered, in accents broken by emotion, the following prayer to Almighty God:

"Most merciful God, before whom we are all equal, we look up to Thee who hast declared Thyself our Father, and our helper, and our strong defense, to thank Thee that Thou art no respecter of persons; to thank Thee that Thou didst send Jesus Christ into the world to redeem the world from sin, and that He was the friend to the poor; that He came to break the manacles of the slaves, that the oppressed might go free. We thank Thee that this day the people of this State have had grace given them to do as they would be done by. We pray that Thy blessings may rest upon the proceedings of this convention; that no evil may come to this State from the wrong position of those who do not agree with the action of to-day; but that we, all of us, may be united to sustain this which is the law of the land. We pray, O God, but our hearts are too full to express our thanksgiving. Thanks be to God for this day; that light has now come out from darkness; that all things are now promising a future of peace and quietness to our distracted State. Grant that this voice may go over the whole land until the Ordinance of Emancipation is made perfect throughout the States. We ask it through the name of our dear Lord and Redeemer. Amen."

The intelligence of the passage of this ordinance created the wildest enthusiasm throughout the State. When the news reached the Capital at Jefferson City, the Legislature being in session, such was the joy that all business was immediately suspended; the State House and city were illuminated—speeches were made, patriotic songs were sung—not omitting "John Brown." Thus, amidst prayer, thanksgiving, praise, bonfires, illuminations and music, slavery died, and liberty reigned through the great central State of the Mississippi valley.

Maryland and Missouri, by their own act, through the voice and votes of their own citizens, became regenerated and disenthralled, and ready to enter the lists in generous

emulation with the brotherhood of free States. All felt that the action of these States was decisive of the fate of slavery, and of the rebellion.

When to them were added the States of Tennessee, Arkansas, and Louisiana, each by its own citizens abolishing slavery, and preparing to become members of that higher, nobler National unity, based on liberty to all, the President saw the dawn of that brighter day, when peace and harmony, unity and liberty should prevail throughout the Republic. Kentucky yet withstood the advancing tide of Christian civilization. Like a dark rock in the ocean, with freedom to the North of her, freedom to the South of her, and freedom to the West of her, she yet clung to slavery.

CHAPTER XXIII.

GRANT'S CAMPAIGN OF 1864.

GRANT APPOINTED LIEUTENANT-GENERAL—HIS PLANS—THE MILITARY SITUATION—BANK'S EXPEDITION TO RED RIVER—MASSACRE AT FORT PILLOW—CONFEDERATE WEAKNESS—THE ARMIES OF GRANT AND LEE—BATTLES OF THE WILDERNESS—SPOTTSYLVANIA—COLD HARBOR, &C—BUTLER'S MOVEMENT ON JAMES RIVER—GRANT CROSSES THE JAMES—MOVEMENTS IN THE VALLEY OF THE SHENANDOAH—HUNTER'S CAMPAIGN—PETERSBURG INVESTED—THE MINE EXPLOSION—SHERIDAN IN THE SHENANDOAH—HIS RIDE—HIS VICTORIES.

IT is necessary again to return to the fields of war. Marches, battles, carnages, suffering, desolation and death were again to be encountered in their utmost horror before the end of the drama. But the grand result was no longer doubtful. The intelligent observer felt that slavery was doomed, and the unity of the Republic, upon the basis of freedom, was now only a question of time. We have seen that the campaign of 1863 had been crowned with the fall of Vicksburg and Port Hudson, and the victory of Gettysburg. Still Lee was permitted to recover from his defeat, and re-occupy his former lines.

Immediately on the opening of the 1st session of the 38th Congress, the ever-faithful Washburne, desirous that the great military mind which had crushed the enemy in the center should take the commanding position at the head of all the armies of the Republic, introduced and carried through the bill creating the office of Lieutenant General. The President on the 22d of February cordially approved the act, and sent the nomination of U. S. Grant as Lieutenant General to the Senate for confirmation. On the 3d of March the

nomination was confirmed. General Grant was at the time in command in the Valley of the Mississippi. The President immediately requested his presence at Washington. Up to this time, during the war, General Grant had not visited the Capital. He was personally unknown to the President, the Secretary of War, and most of the members of Congress. The appointment found him at his post of duty, and with a modesty in regard to himself, and a generosity towards his most trusted Lieutenant, General Sherman, beautiful as rare, he expressed the opinion that Sherman was more entitled to the position than himself. He arrived at Washington on the 8th of March, and in the evening attended a levee at the White House, which he entered unannounced, and almost a stranger. He was instantly recognized by the President, and the Western Soldier never received a more cordial welcome. As soon as it was known that Grant was present, the pressure of the crowd was difficult to withstand By the aid of Secretary Seward he sheltered himself behind a sofa, but the crowd was so eager to see the hero of Vicksburg, that by the persuasion of the Secretary he was induced to mount the sofa, that the irrepressible desire to see him might be gratified. He remarked to the President when parting, "this has been rather the warmest campaign I have witnessed during the war." On the following day the President in person presented him his commission, and said to him:

"GENERAL GRANT: The Nation's appreciation of what you have done, and its reliance upon you for what remains to be done in the existing great struggle, are now presented with this commission, constituting you Lieutenant General in the Army of the United States. With this high honor, devolves upon you also a corresponding responsibility. As the country herein trusts you, so, under God, it will sustain you. I scarcely need to add, that with what I here speak for the nation, goes my own hearty personal concurrence.

To which General Grant made this reply:

"Mr. PRESIDENT: I accept the commission with gratitude for the high honor conferred. With the aid of the noble armies that have fought on so many fields for our common country, it will be my earnest endeavor not to disappoint your expectations. I feel the full weight

of the responsibilities now devolving on me, and I know that if they are met, it will be due to those armies, and above all to the favor of that Providence which leads both Nations and men."

After visiting the army of the Potomac he returned to Washington, and after an interview with the President and Secretary of War in regard to his plans, prepared to leave for the West. Mrs. Lincoln, sharing in the universal gratitude and admiration felt for him, and desirous of showing him some attention, invited him to meet a brilliant party of citizens and military at dinner that evening. He received the invitation at the close of this important interview with the President. The General said, "Mrs. Lincoln must excuse me. I must be in Tennessee at a given time." "But we can't excuse you," said the President. "Mrs. Lincoln's dinner without you, would be Hamlet with Hamlet left out." "I appreciate the honor Mrs. Lincoln would do me," said the General, "but time is very important now,—and really —Mr. Lincoln, I have had enough of this *show* business." This was a remark Mr. Lincoln could well appreciate and with which he could fully sympathize. General Grant went to the West without waiting for the dinner.

General Sherman, on the recommendation of General Grant, was assigned to the command of the military division of Mississippi, composed of the departments of the Ohio, the Cumberland, the Tennessee, and the Arkansas. General J. B. McPherson was assigned to the command of the department and Army of the Tennessee.

General Grant on the 17th of March assumed command of the armies of the United States, and announced that his headquarters would be in the field, and until further orders, with the Army of the Potomac. From this time there was unity of purpose,—each army coöperating and acting under one far-seeing executive head. From this time on, there was energy in attack, rapidity in pursuit, and everywhere a fit man in the fittest place for him. Grant had the very great advantage of having subordinates who enjoyed his most perfect confidence, and who reposed the most perfect faith in him. Henceforth rivalries and jealousies were, to a great

extent, banished from the armies of the Republic. Nothing had given Mr. Lincoln more anxiety and trouble than the rivalries and quarrels among Generals. From the time that Grant assumed command as Lieutenant General, this annoyance to a great extent ceased. "Let us crush the rebellion" was now the feeling. Sherman must be regarded as Grant's right arm.

The plan of General Grant's campaign is thus simply and clearly stated by himself:

"From an early period in the rebellion; I had been impressed with the idea that action and continuous operations of all the troops that could be brought into the field, regardless of season and weather, were necessary to a speedy termination of the war. The resources of the enemy and his numerical strength were far inferior to ours; but as an offset to this, we had a vast territory with a population hostile to the government, to garrison, and long lines of river and railroad communications to protect, to enable us to supply the operating armies.

"The armies in the East and West acted independently and without concert, like a balky team, no two ever pulling together; enabling the enemy to use to a great advantage his interior lines of communication for transporting troops from east to west, re-enforcing the army most vigorously pressed, and to furlough large numbers during seasons of inactivity on our part, to go to their homes and do the work of producing for the support of their armies. It was a question whether our numerical strength and resources were not more than balanced by these disadvantages and the enemy's superior position.

"From the first I was firm in the conviction that no peace could be had that would be stable and conducive to the happiness of the people, both North and South, until the military power of the rebellion was entirely broken. I therefore determined, first, to use the greatest number of troops practicable against the armed force of the enemy; preventing him from using the same force at different seasons against first one and then another of our armies, and the possibility of repose for refitting and producing necessary supplies for carrying on resistance. Second, to hammer continuously against the armed force of the enemy and his resources, until by mere attrition, if in no other way, there should be nothing left to him but an equal submission with the loyal section of our common country to the Constitution and laws of the land."

What was the military situation when Grant assumed command?

1. The army of the Potomac, under General Meade, on the north bank of the Rapidan, confronted the army of Northern Virginia under General Lee, occupying the south bank of the Rapidan. General Burnside with the 9th corps joined the army of the Potomac on the 9th day of May, 1864.

2. The army of the James, under Major General Butler, had its headquarters at Fortress Monroe.

3. The army of the Shenandoah was under General Sigel, with headquarters at Winchester.

4. General Sherman's command consisted of the army of the Cumberland, under General Thomas; the army of the Tennessee under General McPherson; the army of the Ohio, under General Scofield;—in all about 100,000 men, and 254 guns. The aggregate national force of all arms was 970,710.

The following constituted the chief divisions of the forces, which, with smaller detachments, made up the aggregate:

Department of Washington	42,124
Army of the Potomac	120,384
Department of Virginia and North Carolina	59,130
Department of the South	18,169
Department of Arkansas	23,666
Department of the Gulf	61,865
Department of Tennessee	74,170
Department of Missouri	15,775
Department of the Northwest	5,296
Department of Kansas	4,798
Headquarters Military Division of the Mississippi	476
Department of the Cumberland	119,948
Department of the Ohio	35,416
Northern Department	9,546
Department of West Virginia	30,782
Department of the East	2,828
Department of the Susquehanna	2,970
Middle Department	5,627
Ninth Army Corps	20,780
	653,750*

* Report of the Secretary of War, p. 5 and 6, 1865.

The campaign of 1864 opened with a movement of General Banks against General Kirby Smith on Red River. A large army left New Orleans, with which were to coöperate troops from Arkansas, under General Steele, and others under General A. J. Smith, with a large naval force under Admiral Porter. General Banks reached Alexandria on the 20th of March, 1864. It is proper to say that this expedition of General Banks was planned previous to General Grant's appointment to command. As General Banks' forces advanced towards Shreveport, a series of disasters occurred that ended in the failure of the expedition, with heavy loss of men and material. While this expedition was in progress, and in the absence of troops from the Mississippi, several raids were made by the rebel General Forrest.

On the 12th of April an attack was made upon Fort Pillow, by Morgan and Chalmers. This Fort is about seventy miles above Memphis on the Mississippi River. Its garrison consisted of about 600 men, of which nearly one-half were colored troops, under command of Major L. F. Booth. The attack was made in the morning, and the garrison gallantly held the Fort until the afternoon. Then the rebels, while sending a flag of truce, treacherously took advantage of it to get possession of a ravine, from which they could, with comparative safety, make a rush into the Fort. Immediately the flag was withdrawn, the rebels made a rush, and succeeded in getting into the Fort, and raised the cry of "*no quarter.*" The Union troops threw down their arms and sought to escape by running down the bank. The scene which followed, the *facts* of which were abundantly proved before a committee of investigation ordered by Congress, constitutes one of those black pages in the history of the slaveholder's rebellion, and illustrates the barbarism of slavery.

"The rebels," say the committee, "commenced an indiscriminate slaughter—sparing neither age nor sex, white or black, soldier or civilian. The officers and men seemed to vie with each other in the devilish work. Men, women, and children were deliberately shot down and hacked to pieces with sabres. Children under ten years of age were murdered.

These fiends, nurtured to their work by the barbarities of the slave system, entered the hospitals and assassinated the sick, incapable of offering resistance or escape. Everywhere was heard 'no quarter'—'kill the damned niggers.' Men were nailed to the floors and sides of buildings, and then the buildings set on fire!"

These facts, and others equally atrocious are deliberately stated by a committee of Congress who visited Fort Pillow and examined witnesses. The rebel reports seek to extenuate the atrocities, by declaring that the Fort was taken by storm, and that no quarter was given on either side—and that the rebels were exasperated by finding their slaves in arms against them. It was in reference to this massacre, and other barbarities perpetrated by the rebels, that Mr. Lincoln, at the Baltimore fair, declared that "*retribution*" should be had.

The campaign in Virginia opened on the 4th of May. By a simultaneous movement the army of the Potomac crossed the Rapidan, and the army of the James took possession of City Point. The Rapidan was crossed without resistance, and the movement upon City Point took the enemy by surprise.

The whole country looked upon this campaign with the greatest solicitude. It was felt that it would be decisive. Three long, bloody years of indecisive fighting in Virginia and Maryland had gone, and now when Grant reached the camp, he found the two veteran and highly tempered armies, grimly and proudly confronting each other. These armies were not so disproportionate in strength; but Grant had this decisive advantage. The resources of the Confederates, both in men and material, were well nigh exhausted. The rebel recruits, as Grant said, "were made up of old men and boys. They robbed the school house and the grave to fill up their ranks."

The measures introduced and the laws passed by the Confederate Congress, indicated the extremity to which they were reduced. In January, 1864, the Congress at Richmond enacted a law, that each person exempted from the draft should devote himself and the labor he controlled to the production of provisions and supplies. That these should be contributed

for the use of the army; besides the tithes required by law, an additional tenth of all the bacon and pork produced; and the supplies should be sold for the army and the families of soldiers, at prices to be fixed by Congress.

Mr. Brown of Mississippi proposed strengthening the slaveholders army, by declaring that every white male person residing in the Confederate States, and capable of bearing arms, should be in the military service. He proposed to take all; to make but one inquiry, "is he capable of bearing arms." The Confederates were reduced to such extremity that in February the proposition was discussed of the employment of free negroes and slaves in their armies.

There also began to appear some indications of a wish for peace on the part of the Confederates. Mr. Leach of North Carolina said in the Confederate Congress, "I am for peace, on the basis of the independence of the South, if it can be obtained, but if not, I am for peace on the best terms we can get, short of subjugation," and others sympathized in these views.

A bill passed the Confederate Congress authorizing the employment of slaves as soldiers. It was upon the discussion of this bill, that Mr. Hunter of Virginia made these significant statements and admissions:

"When we left the old Government we thought we had got rid forever of the slavery agitation; but, to my surprise, I find that this (the Confederate) Government assumes the power to arm the slaves, which involves also the power of emancipation. This proposition would be regarded as a confession of despair. If we are right in passing this measure, we were wrong in denying to the old Government the right to interfere with slavery and to emancipate slaves. If we offer the slaves their freedom as a boon, we confess that we are insincere and hypocritical in saying slavery was the best state for the negroes themselves. I believe that the arming and emancipating the slaves will be an abandonment of the contest."

He then said:

"To arm the negroes is to give them freedom. When they come out scarred from this conflict, they must be free.

Thus the necessities of the war brought the United States and the rebels to a common ground, that of arming and emancipating the negroes.

There was no apparent diminution in the military resources of the North. Men swarmed in Northern towns and cities, and labor, though commanding high wages, could be readily obtained. Each army was in high spirits. Each could look upon the long lists of victories inscribed upon its battle-flags, and receive inspiration from the achievements of the past. While Lee and his army could look back with pride to the days when they drove McClellan to the shelter of his gun-boats, and crushed Pope with overwhelming numbers — to the days when Burnside, with his decimated ranks, was driven back across the Rappahannock; while they could recall Chancellorville with its fearful slaughter, and recount the story of many a brilliant dash and charge; on the other hand, the Union army could recall with heroic pride their splendid fighting during all McClellan's campaign — the bloody day of Malvern Hill, the victories of South Mountain and Antietam, and the glorious three days fight and splendid triumph of Gettysburg. Each of these two armies had a proud record. Nearly everywhere outside of Virginia the Union troops had been victorious. Every one felt that the army of Northern Virginia carried upon its standards the fate of the Confederacy, and now there came from the Valley of the Mississippi, the brilliant, and hitherto invincible hero of the Northwest, to test his genius and his fortunes against the great leader of the rebellion. Mr. Lincoln sent forth Grant upon this struggle, which all knew would be desperate, and hoped would be decisive, with strong confidence in his success; his last words to him were, "and now with a brave army and a just cause, may God sustain you."

The crisis evidently approached, and both armies nerved themselves for the struggle which was believed would be decisive. The army of the Potomac was under the immediate command of Meade, who, although not a brilliant, was a safe, a prudent, and a good soldier. It consisted at this time of three corps. The second under General Hancock; the

Fifth, commanded by General Warren, and the Sixth, under General Sedgwick.

Hancock was one of Nature's noblemen. Physically, the model of a hero. He had that fine, martial bearing; that personal gallantry and magnetism, which made him the idol of his troops. Hancock's appearance upon the field never failed to rally a broken column, and he could lead his men into the very jaws of death.

Warren possessed a rapid, clear, fine intellect; quick in his perceptions, with great capacity for work, full of energy and activity—he was a most valuable aid.

Sedgwick was a most able, experienced, reliable, steadfast soldier; perfectly certain to do his whole duty wherever placed. Under these were a host of able and experienced soldiers, whose names will live in history. Among them were Griffin, and Ricketts and Ayres, and Crawford, and Wadsworth, and Hayes, and Birney, and Wright, and Shaler, and Getty, and Barlow, and many others.

The Union cavalry had become equal to any in the world. It was under the command of Major General Philip H. Sheridan, who was, take him altogether, the finest cavalry officer produced by the war,—perhaps he has never had a superior in any age.

The troops of Grant at midnight on the 3d of March began their movement, and before the sun went down on the 4th, the whole army was across the Rapidan. Lee boldly determined to strike Grant on the flank before he got through the wilderness which skirted the river, and before he emerged into the open country. Early on the 5th, Warren and the Confederates met and engaged, and the fight raged furiously all day; the whole army being brought into the fight as fast as the different corps could be brought to the field. By six o'clock the morning of the 6th, Burnside led his corps into action; some of his troops having a distance of thirty miles to march, crossing both the Rappahannock and the Rapidan rivers. Such was the patriotic ardor with which this conscientious soldier, regardless of his former rank, supported the Lieutenant General. All day long of the 6th, the battle of the Wilderness raged with unabated fury, until the darkness

of the night, added to the obscurity and gloom of the tangled wilderness, put an end to the conflict. On the morning of the 7th it was found that the enemy had fallen back within his intrenched lines. Among the losses of this fearful battle was Major General Wadsworth, whose generous patriotism, indomitable courage, and high personal character left no superior. The battles of the Wilderness were more a trial of strength and endurance, than of maneuvering. In the gloomy depths of these forests there fell many a hero who had no spectator or chronicler of his heroism. On the 7th, General Grant commenced to move by the right flank of the enemy towards Spotsylvania Court House. Lee being apprised of the movement, and having the shorter line, reached there first. On the 9th, Sheridan started on a raid against the rebel line of communications with Richmond. The two armies spent the 9th 10th, and 11th in maneuvering, entrenching and fighting without decisive results. It was on the 11th that Grant sent the dispatch to Washington, in which, after speaking of the terrible six days fighting, he said "our losses have been heavy as well as those of the enemy, and I propose to fight it out on this line if it takes all summer." On the morning of the 12th a general assault was made upon the enemy in position. Hancock carried a portion of their works, capturing most of Johnson's division of Ewell's corps, and twenty pieces of artillery, but the resistance from the second line was so obstinate that the advantage did not prove a success. From the 12th to the 21st no decisive battle was fought, but there was constant maneuvering and fighting. On the night of the 21st, another flank movement by the Union army towards the North Anna was begun. The enemy having the shorter line and being in possession of the main roads reached there first. An idea of the terrible fighting in this campaign may be gathered from the fact stated by General Meade, that the killed, wounded and missing, from the 5th to the 12th of May were 29,410. The kind hearted President, who never for a moment forgot the soldiers, saw the lines of ambulances moving from the Potomac to the numerous hospitals at Washington—ambulances miles in length, and as they moved slowly and sadly

forward his carriage could often be seen driving along the line, with Mr. and Mrs. Lincoln, speaking kind, cheering words, and endeavoring to supply their every want and need.

During these days of terrible battle and slaughter, the face of the President was grave and thoughtful. On one occasion, after one of these fearfully expensive battles he said: "This sacrifice of life is dreadful, but the Almighty has not forsaken me, nor the country, and we shall surely succeed." The terrible destruction and waste by battle of the army, made it necessary to reinforce continually. Washington was stripped of troops to send to the army of the Potomac.

Fortunately on the 21st of April, the Governors of Ohio, Indiana, Illinois and Iowa, in view of the opening campaigns, tendered to the President 100,000 men for one hundred days. These were raised, went into forts and garrisons, and relieved the veterans, who were sent to Grant, and many of these hundred day men were also sent to the front and did good service there.

General Sheridan on the 25th joined the army of the Pototomac, from the raid on which he started from Spotsylvania, having destroyed the depots at Beaver Dam and Ashland, trains of cars, supplies, railroad tracks, and retaken 400 prisoners on their way to Richmond; defeated the rebel cavalry at Yellow Tavern and carried a portion of the first line of the defensive works around Richmond.

On the 5th General Butler occupied without opposition City Point and Bermuda Hundred, General Gilmore having on the 4th of May joined him with the 10th corps. On the 9th General Butler telegraphed to the Secretary of War:

"HEADQUARTERS, NEAR BERMUDA LANDING, May 9th, 1864.

"Our operations may be summed up in a few words. With 1,700 cavalry we have advanced up the Peninsula, forced the Chickahominy, and have safely brought them to our present position. These were colored cavalry, and are now holding our advance pickets towards Richmond. General Kautz with three thousand cavalry from Suffolk, on the same day with our movement up James river, forced the Blackwater, burned the railroad bridge at Stony Creek below Petersburg, cutting in two Beauregard's force at that point.

"We have landed here, entrenched ourselves, destroyed many miles

of railroad, and got a position which with proper supplies we can hold out against the whole of Lee's army. I have ordered up the supplies.

"Beauregard with a large portion of his force was left south by the cutting of the railroads by Kautz. That portion which reached Petersburg under Hill I have whipped to-day, killing and wounding many, and taking many prisoners, after a severe and well contested fight.

"General Grant will not be troubled with any further re-enforcements to Lee from Beauregard's force.

"BENJAMIN F. BUTLER
"*Major General.*

"To E. M. STANTON, *Secretary of War.*"

On the 16th the enemy attacked Butler, and he was forced back into his intrenchments between the forks of the James and Appomatox, and the enemy intrenching in his front, thus covered these railroads and the city. His army therefore, though in a secure position, was held at bay and prevented from operating against Richmond. Butler being as General Grant says "sealed up," the re-enforcements brought from the South by Beauregard were sent to cooperate with Lee's army against the army of the Potomac. The position at Bermuda Hundred being easy to defend, General Grant ordered General W. F. Smith to join the forces north of the James. On the 26th Grant made another movement to turn the enemy's position by his right flank. On the 29th and 30th there was skirmishing and fighting. On the first of June an attack was made at Coal Harbor, by which the enemy's first line was carried and held. They made repeated attempts to recover their line, but were repulsed with great loss. On the 3d another terrific but unavailing assault was made upon the rebels, but which was repulsed with very severe loss to the Union army. Grant thereupon after surveying the whole ground, determined to move his army to the South of the James. General Grant says the battles of the Wilderness, Spottsylvania, North Anna, and Coal Harbor, bloody and terrific as they were on our side, were even more damaging to the enemy, and so crippled him as to make him wary ever after of taking the offensive. His loss in men were probably not so great as ours, owing to the fact that we were, save in the Wilderness,

almost invariably the attacking party, and when he did attack it was in the open field. These long months of battles tested the endurance and manhood of the two armies, and both stood to it like heroes. Resolute purpose, and unflinching courage were never more strikingly exhibited. Lee had warded off Grant's blows and he was now to cross the James. Richmond was still secure, but the inflexible Grant had no more idea of failure—no more doubt of final success, than when he turned his boats down the Mississippi to run the frowning batteries of Vicksburg. On the 10th of June an attempt was made by Butler with a force of infantry under General Gilmore, and of cavalry under General Kautz to capture Petersburg and destroy the railroads and bridges across the Appomattox. The cavalry under General Kautz carried the works on the South side of Petersburg, and penetrated well in towards the town, but were forced to retire. Gilmore finding the works strong returned without attempting an assault. Thereupon General Grant sent General Smith to renew the attempt to capture Petersburg before the enemy could reinforce the place.

Meanwhile General Sigel moved up the Shenandoah Valley, forming a junction with General Crook, and on the 15th met the enemy at New Market, and after a severe engagement, and a gallant resistance on our part, was compelled to return across Cedar Creek. General David Hunter relieved General Sigel, with instructions to go up the Valley to Charlottesville and Lynchburg if possible, living on the country. He was instructed to destroy the railroads and canal beyond the possibility of repairs for weeks. Then Hunter was directed to find his way back to his original base, and join the army of the Potomac from about Gordonsville. Hunter, with great energy started up the Valley, and on the 5th of June he met the rebels at Piedmont, and after a battle of ten hours defeated and routed them, capturing upon the field 1,500 men, three pieces of artillery, and 300 stands of small arms. From thence, forming a junction with Crook and Averill he marched on Lynchburg, which he reached and invested on the 16th of June. Up to this time his campaign had been a complete success, and but for the difficulty of taking through a hostile country and over so long a march,

sufficient ordnance stores, he would have captured Lynchburg. As it was, he went further up the Valley than any force which preceded or followed him, and he rendered great service in destroying the enemy's supplies and manufactures. To meet the threatening movement of Hunter, Lee sent a large force from Richmond, which reached Lynchburg about the same time with Hunter, who was compelled, for want of ammunition to retire. His want of ammunition compelled his retreat by way of Kanawha. This placed the troops of Hunter in a position that they could not cover Washington. Availing himself of the exposed condition of the Capital, the enemy sent large detachments from their army at Richmond, which with the troops already in the Valley under Early and Breckinridge, moved down the Shenandoah, threatening Baltimore and Washington. Their advance was checked at Monocacy by the Union troops under General Lew. Wallace and a part of the Sixth corps under General Ricketts. Still the enemy continued to advance until they met the intrenchments about Washington. In the neighborhood they plundered and burned, destroying among other things the fine country house near Silver Springs, of Montgomery Blair, Postmaster General. But they were met by the 6th corps under General Wright, a part of the 8th corps under Gilmore, and the 12th corps under General Emery. By these forces the enemy was driven back and retreated, hardly pressed by General Wright.

Returning to the army of the Potomac; on the 15th, General Grant visited Bermuda Hundred, and instructed General Butler to send General Smith, with all the troops he could spare to take possession of Petersburg, while he would return to the North side of the James, hasten the crossing of the army of the Potomac, and throw it forward to Petersburg as rapidly as possible. Grant left with the confident expectation that Smith would go into Petersburg that night. Smith's left confronted the enemy's pickets before day-light, but did not get ready to assault his lines until near sundown. Then he carried the lines upon the Appomatox for two and a half miles, capturing 15 pieces of artillery and 300 prisoners. There were no other works between his troops and Petersburg. The night was calm, the moon shining brightly. Hancock

coming up with two divisions, reached Smith just after dark, and offered the aid of his troops, waiving his rank, as he naturally supposed Smith best knew the ground, and what to do. No further assault was made. In the morning Grant arrived, but in the meantime the enemy had reached Petersburg in force. Had Sheridan commanded in place of Smith, the Union flag would no doubt have been found waving over Petersburg. However, the lines of the enemy were attacked, artillery and prisoners taken, and he was driven into an interior line, which was held; and now commenced the long, bloody siege of Petersburg.

This city is twenty-two miles south from Richmond, and protected the communications by which the rebel Capital was supplied. It might possibly have been captured by a vigorous assault on the morning of the 16th of June. Every hour's delay, however, enabled the Confederates to strengthen their lines, and these soon became too strong to be carried by assault. General Grant gradually extended his lines south, with a view of cutting the railroads by which Lee's army and the Capital were supplied.

In front of General Burnside was an angle in the enemy's lines, covered by a Fort, from which his line was not more than one hundred and fifty yards distant. Burnside conceived the design, and formed the resolve of mining the Fort, and the plan, although suspected by the enemy was successfully accomplished without discovery. General Grant took advantage of the weakening of the rebel lines, caused by their sending troops north of the James to repel an attack, to explode the mine. On the evening of the 30th of July, between 4 and 5 o'clock, the mine was sprung, blowing up a battery and the greater part of a regiment. The advance of the assaulting column formed of the Ninth Corps, immediately took possession of the crater made by the explosion, and the Confederate line for some distance to the right and left of it. Nothing now was in the way to prevent a march directly into Petersburg. Had there been coöperation and an immediate advance, Petersburg would have been taken. Not being properly supported the column failed to advance; and taking shelter for a while in the crater, thus giving time for the enemy to

rally, the Union forces were ultimately forced back with great slaughter. Fifteen hundred men in grey and blue, found their graves within the crater formed by the explosion.*

On the 7th of August, General Sheridan was placed in command of the Department of Washington and the Shenandoah, and the army under his command was strengthened. The rebel army under Early was encamped on the west bank of the Opequon Creek, and the Union army under Sheridan in front of Berryville. So disastrous would have been a defeat to the Union cause, laying open to the enemy Maryland and Pennsylvania, and the Baltimore and Ohio Railroad, that General Grant hesitated in allowing the impetuous, confident, and yet careful Sheridan to make an attack. On the 15th of September, Grant visited Sheridan, and became so well satisfied of his ability to whip the enemy, that he says, "I saw there were but two words of instructions necessary: 'Go in!'" †

Early on the morning of the 19th of September, Sheridan attacked Early, and after a bloody battle lasting until 5 P. M., he defeated him, capturing several thousand prisoners, and five pices of artillery. He pursued Early to the passes of the Blue Ridge Mountains, and destroying the Virginia Central Railroad, returned and took position behind Cedar Creek, near Strasburg. In marching back General Sheridan says, "the whole country from the Blue Ridge to the North Mountain has been made entirely untenable for a rebel army."

Early having been reënforced, again returned to the Valley, and on the 9th of October, there was an encounter between his and Sheridan's cavalry in which the rebels were defeated with the loss of eleven pieces of artillery and 350 prisoners.

On the morning of the 19th of October, Early, under cover of darkness and fog, crossed the mountains, surprised (in the absence of Sheridan) and turned the left flank of his army,

* "For some cause, the assaulting column failed to advance promptly to the ridge beyond. Had they done this, there is every reason to believe that Petersburg would have fallen. Thus terminated in disaster what promised to be the most successful assault of the campaign." — *Grant's Report, p. 14.*

† Grant's Report, p. 17.

capturing batteries which enfiladed the whole Union line. The Union troops fell back with heavy loss and in confusion, but were finally rallied between Middletown and Newtown. At this juncture, Sheridan, who had been at Winchester and there heard the heavy firing, came forward at full speed, and arrived upon the field.* His presence inspired his troops with fresh courage and enthusiasm. Passing rapidly along the line where his soldiers could see him, his presence was equal to a reënforment of thousands of troops. He arranged his lines just in time to repulse a heavy attack of the enemy. Immediately assuming the offensive, he attacked with great vigor, defeating the enemy with great slaughter, retaking the guns and prisoners captured by Early, and capturing most of his artillery. The wreck of Early's army escaped during the night. Thus ended the war in the Valley of the Shenandoah. No further attempt to menace Washington and Baltimore, nor to invade the North through this valley was ever afterwards made.

* This ride of Sheridan to the field was the occasion of an ode, certainly one of the most spirited of the war, written by Thomas Buchanan Read, from which I extract the following:

SHERIDAN'S RIDE.

Up from the South at break of day,
Bringing to Winchester fresh dismay,
The affrighted air with a shudder bore,
Like a Herald in haste to the Chieftain's door,
The terrible grumble and rumble and roar,
Telling the battle was on once more,
And Sheridan twenty miles away!

* * *

But there is a road from Winchester town,
A good, broad highway leading down;
And there, through the flush of morning light,
A steed, as black as the steeds of night,
Was seen to pass as with eagle's flight—
As if he knew the terrible need,
He stretched away with his utmost speed;
Hills rose and fell—
But his heart was gay,
With Sheridan fifteen miles away.

Still sprung from those swift hoofs, thundering south,
The dust, like the smoke from the cannon's mouth,
Or the trail of a comet, sweeping faster and faster,
Foreboding to traitors the doom of disaster:
The heart of the steed and the heart of the master
Were beating like prisoners assaulting their walls,
Impatient to be where the battle-field calls;
Every nerve of the charger was strained to full play,
With Sheridan only ten miles away.

General Grant pressed the enemy in Petersburg. He gradually extended his lines south and west, seeking to cut the railroads from that direction. On the 29th of September, Major General Ord landed north of the James, and captured Fort Harrison and fifteen pieces of artillery. During the autumn, the vast armies of Grant and Lee lay opposite each other in their lines around Petersburg, with frequent skirmishes and often severe battles, but with no decisive results. Cavalry raids and other means for interrupting the enemy's lines of communications and such demonstrations as would prevent the rebels from detaching his forces to any other point, constituted the principal operations of the army of General Grant.

The enemy's resources were being rapidly exhausted. The loyal States were filling up a call made by the President on

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Under his spurning feet the road
Like an arrowy Alpine River flowed,
And the landscape sped away behind
Like an ocean flying before the wind;
And the steed like a bark fed with furnace ire,
Swept on with his wild eyes full of fire.
But lo! he is nearing his heart's desire—
He is snuffing the smoke of the roaring fray,
With Sheridan only five miles away.

The first that the General saw were the groups
Of stragglers, and then the retreating troops;
What was done—what to do—a glance told him both,
Then striking his spurs with a terrible oath
He dashed down the line 'mid a storm of huzzas
And the wave of retreat checked its course there, because
The sight of the master compelled it to pause.
With foam and with dust the black charger was gray;
By the flash of his eye and his red nostrils' play
He seemed to the whole great army to say,
I have brought you Sheridan all the way
From Winchester down to save the day.

Hurrah! hurrah for Sheridan!
Hurrah! hurrah for horse and man!
And when their statues are placed on high
Under the dome of the Union sky,
The American soldier's Temple of Fame—
There with the glorious General's name,
Be it said in letters both bold and bright
Here is the steed that saved the day!
By carrying Sheridan into the fight
From Winchester twenty miles away.

the 18th of July, for 500,000 men. General Grant, on the 13th of September, 1864, telegraphed to the Secretary of War:

"We ought to have the whole number of men called for by the President in the shortest possible time. Prompt action in filling up our armies will have more effect upon the enemy than a victory over them. They profess to believe the draft cannot be enforced. Let them be undeceived."

CHAPTER XXIV.

SHERMAN'S ATLANTA CAMPAIGN, AND GRAND MARCH TO THE SEA.

SHERMAN'S ADVANCE ON ATLANTA—BISHOP POLK KILLED—MCPHERSON KILLED—SHERMAN TAKES ATLANTA—CORRESPONDENCE BETWEEN SHERMAN AND HOOD, AND SHERMAN AND THE MAYOR OF ATLANTA—HOOD'S ARMY MARCHES NORTH, AND IS DEFEATED AT NASHVILLE—SHERMAN'S GRAND MARCH TO THE SEA—HE TAKES FORT MCALLISTER AND SAVANNAH—THE ALABAMA—MOBILE CAPTURED—THE NIAGARA FALLS CONFERENCE—THE PRESIDENTIAL ELECTION.

GENERAL William T. Sherman began his brilliant campaign against Atlanta in the middle of May 1864. To reach that objective point he was compelled to pass from the north to the centre of the great State of Georgia, forcing his difficult path "through mountain defiles and across great rivers, overcoming or turning formidable entrenched positions defended by a veteran army, commanded by a cautious and skillful commander. The campaign opened on the 6th of May, and on the 2d of September, the Union forces entered Atlanta."

General Sherman, in his own nervous language, describes his campaign in his Field Order No. 68, dated Atlanta, September 8th, 1864:

"On the 1st of May our armies were lying in garrison, seemingly quiet, from Knoxville to Huntsville, and our enemy lay behind his rocky-faced barrier at Dalton, proud, defiant and exulting. He had had time since Christmas to recover from his discomfiture on the Mission Ridge, with his ranks filled, and a new Commander-in-chief, second to none in the Confederacy in reputation for skill, sagacity and extreme popularity. All at once our armies assumed life and action, and appeared before Dalton. Threatening Rocky Face, we threw ourselves upon Resaca, and the Rebel army only escaped by the rapidity of his retreat,

aided by the numerous roads with which he was familiar, and which were strange to us. Again he took post in Allatoona, but we gave him no rest, and by our circuit towards Dallas, and subsequent movement to Acworth, we gained the Allatoona Pass. Then followed the eventful battles about Kenesaw and the escape of the enemy across the Chattahoochee river. The crossing of the Chattahoochee, and breaking of the Augusta road was most handsomely executed by us, and will be studied as an example in the art of war. At this stage of our game, our enemies became dissatisfied with their old and skillful commander, and selected one more rash and bold. New tactics were adopted. Hood first, boldly and rapidly on the 20th of July, fell on our right at Peach Tree Creek, and lost. Again on the 22d he struck our extreme left, and was severely punished; and finally on the 28th, he repeated the attempt on our right, and that time must have become satisfied, for since that date he has remained on the defensive. We slowly and gradually drew our lines about Atlanta, feeling for the railroad which supplied the rebel army, and made Atlanta a place of importance.

"We must concede to our enemy that he met these efforts patiently and skillfully, but at last he made the mistake we had waited for so long, and sent his cavalry to our rear, far beyond the reach of recall. Instantly our cavalry was on his only remaining road, and we followed quietly with our principal army, and Atlanta fell into our possession as the fruit of well concerted measures, backed by a brave and confident army." *

In one of those bloody battles which were of constant occurrence between Sherman and Johnston, which took place on the 14th of May on Pine Mountain near Kenesaw Mountain, the rebel General (Bishop) Polk was killed. When the Union troops took possession of the field they found upon a stake stuck in the ground a paper attached, on which was written "Here General Polk was killed by a Yankee shell."

General Sherman, after first unsuccessfully assaulting the enemy's position at Kenesaw, turned it, compelling Johnston to abandon it and retreat behind the Chattahoochee. Here Sherman rested until the 17th of July, when he resumed operations, and drove the enemy back to Atlanta. At this place the rebel General Hood succeeded General Johnston, and assuming the offensive-defensive, made several severe attacks upon Sherman near Atlanta.†

* Report of Secretary of War, 1865.
† Sherman's Report, 1865.

On the 22d of July in an attack by Hood, the brave and accomplished McPherson was killed. General Sherman described him as "a noble youth of striking personal appearance, of the highest professional capacity, and with a heart abounding in kindness that drew to him the affections of all men." General John A. Logan succeeded McPherson, and ably commanded the army of the Tennessee, through this desperate battle, and until he was superceded by Major General Howard, on the 26th of July. In these fierce attacks the rebels were repulsed with great slaughter.

General Sherman finding it impossible entirely to invest Atlanta, moved his forces by the enemy's left flank upon the Montgomery and Macon roads, to draw the enemy from his fortifications.* He describes the operation as that of "raising the siege of Atlanta, taking the field with our main force, and using it against the communications of Atlanta, instead of against its entrenchments." The movements compelled Hood to evacuate Atlanta, and on the 2d of September, Sherman entered that city. For severe fighting and brilliant and successful maneuvering, there is nothing finer in the whole war than this campaign and capture of Atlanta. Sherman was seconded by a body of able and reliable subordinates, among the most distinguished of whom were McPherson, Thomas, Hooker, Howard, Scofield and Logan, and by an army that could proudly say they were never defeated.† The aggregate loss in killed, wounded, and missing in the whole campaign from Chattanooga to Atlanta, including cavalry, has been estimated to exceed 30,000, and the loss of the rebels considerably exceeded 40,000.

President Lincoln, in a General order of thanks to Sherman and the gallant officers and soldiers of his command, dated on the day of the capture of Atlanta, justly characterizes these marches, battles and sieges which signalized this campaign, as "famous in the annals of war." Atlanta was a most important railroad center. It had been deemed by the Confederates perfectly secure, and here was the location of very valuable manufactories of ordnance and other material.

* Grant's Report, 1865.
† Appleton's Encyclopedia, 1864, page 87.

General Sherman decided that the imperious exigencies of war, especially when considered with reference to his base of supplies, required that Atlanta should be occupied exclusively for military purposes. Therefore he issued an order on the 6th of September, directing that "all families living in Atlanta, the male representatives of which are in the service of the Confederate States, or who have gone South, will leave the city within five days. All citizens from the North, not connected with the military service, were also directed to leave within the same period." General Hood protested against this removal, stating "this measure transcends in studied and ingenious cruelty, all acts ever before brought to my attention in the dark history of war." To this General Sherman made a reply, defending the act, as follows:

"You style the measure proposed unprecedented, and appeal to the dark history of war for a parallel as an act of 'studied ingenious cruelty.' It is not unprecedented, for General Johnston himself, very wisely and properly removed the families all the way from Dalton down, and I see no reason why Atlanta should be excepted. Nor is it necessary to appeal to the dark history of war, when recent and modern examples are so handy. You yourself burned dwelling houses along your parapet, and I have seen to-day, fifty houses that you have rendered uninhabitable because they stood in the way of your forts and men. You defended Atlanta on a line so close to the town that every cannon shot, and many musket shots from our line of entrenchments that overshot their mark, went into the habitations of women and children. General Hardee did the same at Jonesboro, and General Johnston did the same last summer at Jackson, Mississippi. I have not accused you of heartless cruelty, but merely instance those cases of very recent occurrence, and could go on and enumerate hundreds of others, and challenge any fair man to judge which of us has the heart of pity for the families of brave people. I say, it is a kindness to those families of Atlanta to remove them now at once from scenes to which women and children should not be exposed; and the 'brave people' should scorn to commit their wives and children to the rude barbarians who thus, as you say, violate the laws of war, as illustrated in the pages of its dark history. In the name of common sense I ask you not to appeal to a just God in such a sacrilegious manner—you, who, in the midst of peace and prosperity, have plunged a nation into civil war, 'dark and cruel war;' who dared and badgered us to battle, insulted our flag, seized our arsenals

and forts that were left in the honorable custody of a peaceful Ordnance Sergeant, seized and made prisoners of war the very garrisons sent to protect your people against negroes and Indians, long before any overt act was committed by the—to you—'hateful Lincoln Government,' tried to force Kentucky and Missouri into the rebellion in spite of themselves, falsified the vote of Louisiana, turned loose your privateers to plunder unarmed ships, expelled Union families by the thousand, burned their houses, and declared by an act of Congress, the confiscation of all debts due Northern men, for goods had, and received. Talk thus to me who have seen these things, and will this day make as much sacrifice for the peace and honor of the South as the best born southerner among you! If we must be enemies, let us be men, and fight it out as we propose to-day, and not deal in such hypocritical appeals to God and humanity. God will judge me in good time, and He will pronounce whether it be more humane to fight with a town full of women, and the families of a 'brave people' at our backs, or to remove them in time to places of safety among their own friends and people."

In reply to an appeal from the Mayor of Atlanta, asking him to revoke his order, General Sherman said:

"HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,
"IN THE FIELD,
"ATLANTA, GA., Sept. 10, 1864.

"GENTLEMEN: I have your letter of the 11th, in the nature of a petition to revoke my orders removing all the inhabitants from Atlanta. I have read it carefully and give full credit to your statements of the distress that will be occasioned by it, and yet shall not revoke my order, simply because my orders are not designed to meet the humanities of the case, but to prepare for the future struggles in which millions, yea hundreds of millions of good people out side of Atlanta have a deep interest. We must have peace, not only at Atlanta, but in all America. To secure this we must stop the war that desolates our once happy and favored country. To stop war we must defeat the rebel armies that are arrayed against the laws and Constitution, which all must respect and obey. To defeat these armies, we must prepare the way to reach them in their recesses, provided with the arms and instruments which enable us to accomplish our purpose. Now I know the vindictive nature of our enemy, and that we may have many years of military operations from this quarter, and therefore deem it wise and prudent to prepare in time. The use of Atlanta for war-like purposes is inconsistent with its character as a home for families. There will be no man-

ufactures, commerce or agriculture here for the maintenance of families, and sooner or later want will compel the inhabitants to go. Why not go now, when all the arrangements are completed for the transfer, instead of waiting till the plunging shot of contending armies will renew the scenes of the past month? Of course I do not apprehend any such thing at this moment; but you do not suppose that this army will be here till the war is over. I cannot discuss the subject with you fairly, because I cannot impart to you what I propose to do; but I assert, that my military plans make it nesessary for the inhabitants to go away, and I can only renew my offer of services to make their exodus in any direction as easy and comfortable as possible.

"You cannot qualify war in harsher terms than I will. War is cruelty, and you cannot refine it; and those who brought war on our country, deserve all the curses and maledictions a people can pour out. I know I had no hand in making this war, and I know I will make more sacrifices to-day than any of you to secure peace. But you cannot have peace and a division of our country. If the United States submits to a division now, it will not stop, but will go on till we reap the fate of Mexico, which is eternal war. The United States does and must assert its authority wherever it has power; if it relaxes one bit to pressure, it is gone, and I know that such is not the national feeling. This feeling assumes various shapes, but always comes back to that of Union. Once admit the union; once more acknowledge the authority of the National Government, and instead of devoting your houses and streets and roads to the dread uses of war, I, and this army, become at once your protectors and supporters, shielding you from danger, let it come from whatever quarter it may.

"I know that a few individuals cannot resist a torrent of error and passion, such as has swept the South into rebellion; but you can point out, so that we may know those who desire a Government, and those who insist on war and its desolation.

You might as well appeal against the thunder storm, as against these terrible hardships of war. They are inevitable, and the only way the people of Atlanta can hope once more to live in peace and quiet at home, is to stop this war, which can alone be done by admitting that it began in error and is perpetuated in pride. We don't want your negroes, or your homes or your land, or anything you have; but we do want and will have a just obedience to the laws of the United States. That we will have, and if it involves the destruction of your improvements, we cannot help it. You have heretofore read public sentiment in your newspapers that live by falsehood and excitement; and the quicker you seek for truth in other quarters, the better for you. I re-

peat then, that by the original compact of government, the United States had certain rights in Georgia which have never been relinquished, and never will be; that the South began war by seizing forts, arsenals, mints, custom-houses, &c., &c., long before Mr. Lincoln was installed, and before the South had one jot or tittle of provocation. I myself have seen in Missouri, Kentucky, Tennessee and Mississippi, hundreds and thousands of women and children fleeing from your armies and desperadoes, hungry, and with bleeding feet. In Memphis, Vicksburg and Mississippi, we fed thousands upon thousands of families of rebel soldiers left on our hands, and whom we could not see starve. Now that war comes home to you, you feel very different; you deprecate its horrors, but did not feel them when you sent car loads of soldiers and ammunition, and moulded shell and shot to carry war into Kentucky, and Tennessee, and desolate the homes of hundreds and thousands of good people, who only asked to live in peaee at their own homes and under the government of their inheritance.

"But these comparisons are idle. I want peace, and believe it can only be reached through Union and war; and I will ever conduct war purely with a view to perfect an early success.

"But my dear sir, when that peace does come, you may call on me for anything. Then will I share with you the last cracker, and watch with you to shield your home and families against danger from every quarter. Now, you must go, and take with you the old and feeble, feed and nurse them, and build for them in more quiet places, proper habitations to shield them against the weather until the mad passions of men cool down, and allow the Union and peace once more to settle upon your old homes at Atlanta." *

This letter is written with great vigor and truth, and it is inserted at length, to show that General Sherman wrote as well as he fought. Indeed, if there are others among the Union Generals who might contest with Sherman for superiority in the use of the sword, his superiority in the use of the pen would be generally conceded.

Meanwhile Hood, under orders direct from Richmond, undertook a movement to the north. Moving far to the right of Atlanta, he struck the railroad and moved north. General Sherman therefore proposed to General Grant to abandon and destroy Atlanta, and all the roads leading to it, and make a bold march through the enemy's country to the sea.

* Appleton's Encyclopedia 1864, page 91.

General Grant evidently at first thought the conception a hazardous one, as well he might; and he said to Sherman: "If there is any other way to get at Hood's army, I would prefer that; but I must trust to your own judgment."

On the 11th of October, Grant telegraphed to Sherman as follows:

"CITY POINT, Va., October 11, 1864,—11. A. M.

"Your despatch of October 10th received. Does it not look as if Hood was going to attempt the invasion of Middle Tennessee, using the Mobile and Ohio, and Memphis and Charleston roads to supply his base on the Tennessee river, about Florence or Decatur? If he does this he ought to be met and prevented from getting North of the Tennessee river. If you were to cut loose, I do not believe you would meet Hood's army but would be bushwacked by all the old men, little boys, and such railroad guards as are still left at home. Hood would probably strike for Nashville, thinking that by going north, he could inflict greater damage upon us, than we could upon the rebels by going south. If there is any way of getting at Hood's army, I would prefer that; but I must trust to your own judgment. I find I shall not be able to send a force from here to act with you on Savannah. Your movements therefore will be independent of mine; at least until the fall of Richmond takes place. I am afraid Thomas, with such lines of road as he has to protect, could not prevent Hood from going north. With Wilson turned loose, with all your cavalry, you will find the rebels put much more on the defensive than heretofore.

"U. S. GRANT, *Lieut. Gen'l.*

"Major Gen. W. T. SHERMAN."

On the 11th of October, Sherman telegraphed from Kingston, Georgia, to Grant as follows:

"Hood moved his army from Palmetto Station across by Dallas and Cedartown, and is now on the Coosa River, south of Rome. He threw one Corps on my road to Acworth, and I was forced to follow. I hold Atlanta with the Twentieth Corps, and have strong detachments along my line. This reduces my active force to a comparatively small army. We cannot remain here on the defensive. With the 25,000 men, and the bold cavalry he has, he can constantly break my roads. I would infinitely prefer to make a wreck of the road and of the country from Chattanooga to Atlanta, including the latter city—send back all my wounded and worthless, and with my effective army move through

Georgia, *smashing things, to the sea.* Hood may turn into Tennessee and Kentucky, but I believe he will be forced to follow me. Instead of my being on the defensive, I would be on the offensive; instead of guessing at what he means to do, he would have to guess at my plans. The difference in war is full twenty-five per cent. I can make Savannah, Charleston, or the mouth of the Chattahoochee. Answer quick, as I know we will not have the telegraph long."

"W. T. SHERMAN, *Major General.*

"Lieutenant General GRANT."

To which General Grant on the same day replied as follows:

"Your despatch of to-day received. If you are satisfied the trip to the sea coast can be made, holding the line of the Tennessee River firmly, you may make it, destroying all the railroad south of Dalton or Chattanooga, as you think best,"

"U. S. GRANT, *Lieutenant General,*

"Major General W. T. SHERMAN." *

It was at first designed to hold Atlanta, and marching through to the coast, to leave garrisons on the railroads leading east and west, and thus effectually cut the Confederacy in twain, as had been done by Grant in getting possession of the Mississippi. But Sherman's communications were so long, that Sherman said Hood, with 25,000 men and the bold cavalry he had could constantly break his roads. He, (Sherman) would prefer to send back all his wounded and worthless, and with his effective army "*move through Georgia, smashing things to the sea.*"

Before following this adventurous march, let us see what were the fortunes of Hood who moved to the north.

General Thomas furnishes the following description of this campaign: †

"I found myself confronted by the army which, under General J. E. Johnston, had skillfully resisted the advance of the whole active army of the military Division of the Mississippi, from Dalton to the Chattahoochee, reënforced by a well equipped and enthusiastic cavalry command of over 12,000 men, led by one of the boldest and most successful cavalry

* Grant's Report, p. 24.
† Report of the Secretary of War, p. 9.

commanders in the rebel army. My information from all sources confirmed the reported strength of Hood's army to be from 40 to 45,000 infantry, and from 12 to 15,000 cavalry. My effective force at this time consisted of the Fourth Corps, about 12,000 under Major General D. S. Stanley, the Twenty-third Corps, about 10,000, under Major General Schofield, Hatcher's Division of cavalry about 4,000, Croxton's brigade, 25,000, and Capron's brigade of about 1,200. The balance of my force was distributed along the railroad, and posted at Murfreesboro, Stevenson, Bridgeport, Huntsville, Decatur, and Chattanooga, to keep open our communications, and hold the posts above named, if attacked, until they could be reënforced; as up to this time it was impossible to determine which course Hood would take; advance on Nashville or turn towards Huntsville. Under these circumstances, it was manifestly best to act on the defensive until sufficiently reënforced to justify taking the offensive. On the 12th of November, communication with General Sherman was severed, the last despatch from him leaving Cartersville, Georgia, at 2.25 P. M. on that date. He had started on his great expedition from Atlanta to the seaboard, leaving me to guard Tennessee, or to pursue the enemy if he followed the Commanding General's column. It was therefore with considerable anxiety that we watched the force at Florence, to discover what course they would pursue with regard to General Sherman's movements, determining thereby whether the troops under my command, numbering less than half those under Hood, were to act on the defensive in Tennessee, or take the offensive in Alabama."

Reënforcements were hastened to Thomas, and among other troops sent forward, were two divisions of veteran infantry, under General A. J. Smith. On the 20th of November, General Schofield's main force was withdrawn from in front of Columbia, and on the morning of the 30th a position was taken at Franklin. Here followed a most fierce and bloody battle between the armies of Hood and Schofield. General Thomas, in his report of this battle, says:

"The enemy followed closely after General Schofield's rear guard in the retreat to Franklin, and upon coming up with the main force, formed rapidly and advanced to assault our works, repeating attack after attack during the entire afternoon, and as late as 10 P. M. his efforts to break our lines were continued. General Schofield's position was excellently chosen with both flanks resting on the river, and his men firmly held their ground against an overwhelming enemy, who was repulsed in every assault along the whole line. Our loss as given by General Schofield in his

report transmitted herewith, (and to which I respectfully refer,) is 189 killed, 1,033 wounded, and 1,104 missing, making an aggregate of 2,326. We captured and sent to Nashville 702 prisoners, including one general officer and thirty-three stands of colors. Major General D. S. Stanly, commanding the Fourth Corps, was severely wounded at Franklin, while engaged in rallying a portion of his command which had been temporarily overpowered by an overwhelming attack of the enemy. At the time of the battle the enemy's loss was known to be severe, and was estimated at 5,000. The exact figures were only obtained, however, on the re-occupation of Franklin by our forces after the battles of December 15th and 16th, at Brentwood Hills near Nashville, and are given as follows: Buried upon the field, 1,750; disabled and placed in hospitals at Franklin, 3,800; which, with the 702 prisoners already reported, makes an aggregate loss of 6,252, among whom were six general officers killed, six wounded and one captured. The important results of this signal victory cannot be too highly appreciated; for it not only seriously checked the enemy's advance, and gave General Schofield time to remove his troops and all his property to Nashville, but it also caused deep depression among the men of Hood's army, making them doubly cautious in their subsequent movements." *

Schofield, by direction of Thomas, retired to Nashville, in front of which a line of battle was formed on the 1st of December. Hood's army made its appearance on the 2d of December. The intense cold weather delayed operations until the 14th, when the weather having become less severe, General Thomas issued orders for an attack on Hood's army to be made on the 15th. At an early hour the next morning, the hardy veteran soldiers of Thomas and Schofield moved to the attack. All day long the fight was fiercely continued; when night came, Thomas had captured 16 pieces of artillery, 1,200 prisoners, and a large number of small arms. The enemy had everywhere been forced back with heavy loss. The troops had fought with steadiness and courage. The whole command bivouacked in line of battle during the night on the ground occupied at dark, while preparations were made to renew the battle at an early hour on the morrow. At early dawn the next morning, the battle was renewed. At 3 o'clock in the afternoon, the enemy's strong position on Overton's Hill was assaulted by the Fourth Corps.

* Report of the Secretary of War, 1865.

General Smith's and Scofield's command moved against the enemy's works in their respective fronts, carrying all before them, frequently breaking his lines in a dozen places, and capturing all his artillery and thousands of prisoners, among the latter, four general officers."* The Confederates broke and fled in confusion over the tops of Brentwood Hills, pursued by the exulting Union troops. Meanwhile, General Wilson's cavalry dismounted, and attacked simultaneously with Schofield and Smith. The flying rebels were pursued several miles, until darkness rendered the further chase impracticable.

During the two days battle, there were captured 4,462 prisoners, including 287 officers, 53 pieces of artillery, and thousands of small arms.†

The Confederate army thus defeated, had been considered next to the army of Lee, the most formidable rebel force which had been organized during the war. It had been ably commanded by Bragg, Johnston, and Hood, and on many bloody fields had established the courage of the soldiers and the ability of the leaders. It was pursued from Nashville to the Tennessee by Thomas' main army, and by detachments, many miles further; but this proud army never again appeared in the field as an army organization. Fragments of it were finally gathered up, and under Johnston laid down their arms to Sherman in the spring of 1865, at the final surrender of Johnston.

The brilliant Atlanta campaign of Sherman was, in the plans of Grant and his Lieutenant, preliminary. Another important step was yet to be made before the union of the grand armies of the East and the West, by the joint and co-operative movements of which, Richmond was to be taken, and the armies of Lee and Johnston captured. "When," said Sherman, "I plant this army at Goldsboro, Lee must leave Virginia, or he will be defeated beyond hope of recovery."

Jefferson Davis, on the 22d of September, 1864, prophesied that Sherman's army, then in the heart of his Confederacy, would meet "the fate of the army of the French Empire,

* Thomas' Report.
† Secretary of War's Report, p. 12.

in the retreat from Moscow; our cavalry and our people," said he, "will harrass and destroy his army as did the *Cossacks* that of Napoleon; and the Yankee General, like him, will escape with only a body guard."

Little did this arrogant boaster then dream this "Yankee General," at whom he proudly sneered, would march at pleasure through his Confederacy; and that before his withdrawal, he himself would be first a fugitive and then a captive, and his empire crumbled into ruins!

As Hood marched to the North, Sherman followed as far as Kenesaw Mountain. At the pass of Allatoona, through which ran the railway forming Sherman's communications from which he had not yet cut loose, there was an immense depot of provisions; a million and a half of rations. This pass was protected by a fort manned by 1,500 men. On the morning of the 5th of October, General Sherman was on the summit of Kenesaw, watching this pass, when the faint sound of distant artillery and the puffs of white smoke told him that this important position was assailed. The garrison was furiously attacked by 6,000 rebels. Sherman from the top of Kenesaw, signalled the commander at Allatoona to hold out to the last, promising relief. When the answering signal informed him that General Corse was there and in command, Sherman exclaimed, "I know Corse; *as long as he lives the Allatoona pass is safe!*" And so indeed it was; for although he was severely wounded early in the day, and although the rebels charged again and again, yet he held out, and beat off the attack with great slaughter of the rebels, and held the post until succor arrived.

Sherman having seen Hood far on towards Tennessee, turned his back upon him, leaving him for Thomas to dispose of, and prepared to start on his perilous march to the sea. He divided his army into two parts, the right and left wings; the right, consisting of the Fifteenth and Seventeenth Corps, under Major General O. O. Howard, and the left, consisting of the Fourteenth and Twentieth Corps, under Major General H. W. Slocum. General Kilpatrick commanded the cavalry. The aggregate force numbered between sixty and seventy thousand picked men. Probably no superior

body of soldiers, officers and men, was ever organized. They had faith in themselves, and in their leader.

From Atlanta to the sea, there ran two nearly parallel lines of railway; one leading to Charleston, South Carolina, and the other to Savannah, Georgia. The road to Charleston from Atlanta was 308 miles long, while that to Savannah was 293 miles. On the 11th of November, Sherman telegraphed from Kingston to Chattanooga, "*all is well,*" then ordered the wires to be cut and started for the ocean. He would probably be heard from next from the sea coast.

On the evening of the 15th of November, the torch was applied to the machine shops, store houses, and depot buildings of Atlanta. The band of the Thirty-third Massachusetts was playing the air "*John Brown's soul is marching on*" by the light of the blazing buildings of this city, which, next to Richmond, had been considered the most important stronghold of the slaveholding Confederacy. The army marched eastward towards Macon, the cavalry covering its flanks. As it advanced, it destroyed the railroads and everything which could be of value to the Confederates. Sherman reached and occupied Milledgeville, the Capital of Georgia, without any serious opposition. By skillful manœuvres he deceived the enemy as to his real purpose, and induced them to concentrate far away from his line of march, so that he reached Savannah without difficulty or loss.

Savannah was held by General Hardee, with 15,000 troops. The city was invested, and scouts sent down the river to find the fleet, which was known to be on the coast, watching for Sherman's arrival. The fleet was found, and the news expressed to the North that Sherman had got through *and all was well.* To open communication between his army and the fleet, it was necessary for Sherman to capture Fort McAllister which commanded the approaches from the sea. On the 13th of December, a column under the gallant General Hazen, attacked and carried the fort by assault. The communications with the fleet were opened; General Sherman went immediately on board, and sent his first despatch to the Secretary of War, announcing his complete success. The investment of Savannah now proceeded so rapidly, that by

the 20th Hardee was compelled to save the garrison by flight. He burned the rebel iron clads, and such stores and material as in his rapid flight he was able to destroy, and on the 21st of December, Sherman entered the city, and on the 22d he sent to President Lincoln the following despatch:

"I beg to present to you as a Christmas gift the City of Savannah, with 150 guns, plenty of ammunition, and about 25,000 bales of cotton."

Thus ended Sherman's grand march to the sea! This march is already a part of the romance of history. With the steady, resistless force of the glacier; with the overwhelming power of the avalanche, Sherman descended from the North, crushing everything in his path from the mountains to the sea. Then, turning again towards the North, that grand Northwestern army, coöperating with the long tried veterans of Grant, crushed the fragments of the rebellion between the opposing forces.

Five weeks from the time he left Atlanta, with a total loss of less than 1,500 men, he marched through the great State of Georgia, called the "Empire State of the South," occupying its capital, destroying its railroads, and now rested his victorious soldiers in its chief city. It is not recorded that the haughty Toombs, Iverson, and other slaveholders who were accustomed to exhibit the arrogance and swagger of the slave overseer in Congress, were heard of by Sherman in his easy march through their State. Sherman appropriated and destroyed the corn and forage for thirty miles on either side of a line from Atlanta to Savannah, and also "all the sweet potatoes, cattle, hogs, sheep, and poultry, and carried away more than ten thousand horses and mules, as well as a vast number of their slaves." The belt of country through which Sherman marched, was full of negroes, and the General invited all the able bodied men to join the column, and he took especial pleasure in telling them *they were free;* that Massa Lincoln had given them their liberty, and that they could go where they pleased.*

* Sherman's Report. *Vide* Nichols' Story of the Great March, p. 61, and 62.

The negroes already understood that the Proclamation of Emancipation had made them free. They regarded the advent of the "Yankee" as the fulfillment of the millenial prophesies. "The day of Jubilee," the hope and prayer of a life time, had come. They had the most perfect trust and confidence in their deliverers. One day, a woman with a child in her arms was working her way among the teams, crowds of cattle, and horsemen. An officer called kindly to her: "Where are you going auntie?" She looked up with a hopeful, beseeching look and replied, "Ise gwine whar youse gwine, massa." *

The colored people manifested a forgiving spirit towards their late masters, and a docile, obedient spirit towards those who set them free. One of them said to Sherman "we don't wish to do anything wrong. We know you came here to set us free, and we expect you to tell us what to do. Some of these masters have treated us shamefully; whipped, imprisoned, and sold us about, but we don't wish to be revenged on them. The Bible says we must forgive our enemies. They have been our enemies and we forgive them. Thank God we are slaves no longer!" *

Nothing occurred during the war which more incensed the American people, than the ravages upon their commerce by the English built cruisers, sailing under the rebel flag. By avoiding all armed antagonists, they roamed the sea with impunity, robbing and destroying American merchantmen, and finding refuge and protection, and very often supplies, in neutral ports, and especially in those of Great Britain. The most destructive of these cruisers were the *Alabama*, *Florida* and the *Georgia*. Early in June, 1864, the *Alabama*, after a successful cruise among the American Merchant ships of the South Atlantic, returned to Northern waters and put into Cherbourg, France. The *Kearsarge*, Captain John A. Winslow commanding, immediately sailed for Cherbourg. On the 15th of June, Captain Semmes of the *Alabama*, knowing escape was impossible, with characteristic bravado sent a note to Captain Winslow, asking him not to depart until the two vessels

* Nichols' Grand March
* Nichols' Story of the Great March, page 108.

could meet, and expressing a desire to fight the *Kearsarge*! Winslow had come for the purpose, had been long in pursuit of the *Alabama*, and had no intention of allowing the *Alabama* to escape, as Semmes very well knew. The *Alabama* having prepared herself at leisure for the conflict, on the 19th of June came out of the harbor. She was followed by the English Steam Yacht *Deerhound*, to act as her tender, and to be ready to receive her officers in case of disaster. The *Alabama* opened at long range, to which the *Kearsarge* made no reply, but steaming directly for the *Alabama*, sought close quarters. In a short time the *Alabama* hung out a white flag, and Winslow reserved his fire, but the *Alabama* again opening her fire, she received another broadside. She was then abandoned by her commander. The *Deerhound* picked up Semmes and his officers and steamed off with them, Winslow and his crew, too busy in picking up the drowning crew of the *Alabama* to prevent her. The *Alabama* in a few moments went down, even before all the wounded could be saved.

Semmes, conscious of the danger to which his irregular proceedings after his surrender would subject him in case of capture, got on board the *Deerhound*, which immediately steamed for the friendly port of Southampton, Great Britain. This fight was so near the French coast that thousands of spectators on the shore witnessed the triumph of the American flag, and the speedy sinking of the English-rebel ship.

The *Florida* was captured by Captain H. Collins of the *Wachusett* on the 6th of October, in the Bay of San Salvador, Brazil. She was brought to Hampton Roads and accidentally sunk. The *Georgia* was captured by the *Niagara*, on the 15th of August.

Admiral Farragut was, in the summer of 1864, in command of the squadron off Mobile; and late in July received an addition of four monitors to his fleet. The principal entrance to Mobile Bay was defended by Forts Gaines and Morgan. There were also Fort Powell, a water battery, and earthworks. Inside were Confederate iron-clads. On the 5th of August, Admiral Farragut made his preparations for attack. In order to obtain an unobstructed view, and to give his

orders with clearness, he ascended to the main-top of his flag-ship the *Hartford*, and moved forward to the attack. The conflict was most furious and terrific. One of the monitors, the *Tecumseh*, commanded by the brave Craven, struck a torpedo, and sunk, carrying down her gallant commander and nearly all on board. Still the indomitable Farragut steamed in and passed the forts. The rebel fleet was destroyed or disabled, except the iron-clad ram *Tennessee*. This boldly bore down upon the flag-ship, the *Hartford*. The fleet was directed to run her down. The *Hartford* was the third ship which struck her; but as the *Tennessee* shifted her helm, the blow was a glancing one, and as she rasped along side of Farragut's ship, he poured in a whole broadside of nine inch solid shot, "within ten feet of her casement." * The *Hartford* was again approaching, when the *Tennessee* struck her colors. She was undoubtedly the strongest vessel ever constructed by the Confederates, and she was most gallantly fought. The victory of Farragut over the fleet was followed by the surrender of Forts Gaines and Powell. Fort Morgan still held out, but on being invested by General Granger, on the 23d, this last of the rebel defenses of Mobile, unconditionally surrendered. This brief review of the military operations of 1864, which has been given, exhibits the progress of the Union arms. The heavy, continuous pounding of Grant upon the armies under Lee, the sledge-hammer, crushing blows he gave, the brilliant marches and victories of Sherman, the rapid, dashing triumphs of Sheridan, and the successes of the Navy, culminating with this characteristic exploit of Farragut, gave joy and confidence to the loyal people throughout the republic. It was a significant fact that the President had for some time issued official announcements of victory "to the friends of Union and Liberty." * In his judgment these were becoming more and more identical. Proclamations of thanksgiving and gratitude to God were issued, the President was buoyant with hope, and obviously encouraged in the belief of an early termination of the war. In following the grand military campaigns of 1864,

* Vide Farragut's Report.
* President's Proclamation of May 4, 1864.

some important events in connection with the President and the war have been omitted. It was during the summer of 1864, and before the victories we have mentioned had relieved the anxiety of the people, that Mr. Lincoln was induced by Mr. Greeley to have some correspondence with Confederate agents in Canada. The Confederates were represented by Messrs. C. C. Clay of Alabama, James B. Holcombe of Virginia, and George N. Saunders. These emmissaries were there for purposes and movements, some of which were of a character entirely outside of the legitimate operations of war.

Expeditions to rob and plunder banks over the border, to fire Northern cities, have been clearly traced to them, and there is evidence tending to connect them with crimes of a still graver, and darker character. By some means they succeeded in creating the impression upon that good, but somewhat credulous and sometimes indiscreet man, Horace Greeley, that these agents were deserving of attention, and that it would be wise to confer with them. He wrote to the President on the 7th of July, a letter in which he said: *

"I venture to remind you that our bleeding, bankrupt, almost dying country also longs for peace — shudders at the prospect of fresh conscriptions, of further wholesale devastations; and of new rivers of human blood. * * * "I fear, Mr. President, you do not realize how intently the people desire any peace, consistent with the National integrity and honor, and how joyously they would hail its achievement and bless its authors."

He begged and entreated Mr. Lincoln to extend safe conduct to the rebel emissaries, then at Niagara, that they might exhibit their credentials and submit their ultimatum. Mr. Lincoln believed at that time, that the best means of obtaining peace was by destroying the rebel armies. That Grant and Sherman, Sheridan and Farragut, were doing more to bring it about, than could be accomplished by any negotiations to which he was thus so urgently entreated. He doubted whether these agents had any authority; but Mr. Greeley was a prominent political friend, a man of the purest and most

* Raymond's Life of Lincoln, etc., p. 572-3.

patriotic purposes, and Mr. Lincoln thought he would convince him of his own desire for peace, and expose what he believed to be the deceptive character of these agents. He therefore in reply to Mr. Greeley, said:

"If you can find *any person, anywhere, professing* to have any proposition of Jefferson Davis, *in writing*, for peace, embracing the *restoration of the Union, and abandonment of slavery*, whatever else it embraces, say to him he may come to me with you."

In another letter the President said, "I not only intend a sincere effort for peace, *but that you shall be a personal witness that it is made.*"

Mr. Greeley, on the 13th of July, wrote again to the President, saying:

"I have now information on which I can rely, that two persons, *duly commissioned and empowered* to negotiate for peace, are at this moment not far from Niagara Falls, in Canada, and are desirous of conferring with yourself, or with such persons as you may appoint and empower to treat with them."

He then gave their names, etc. It turned out that Mr. Greeley had been entirely deceived. That the rebel agents in Canada had no authority whatever to treat for peace. Mr. Greeley, on the 18th of July, says: "I have communicated with the gentlemen in question and do *not find them so empowered as I* was previously assured." But he seems to be unconscious of the deception practised upon him, and still desirous that that they should be permitted to visit Washington under the President's safe conduct. Mr. Lincoln despatched his private Secretary, Major Hay, to New York, with the following note:

"EXECUTIVE MANSION, July 18, 1864.

"*To whom it may concern:*

"Any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with the authority that can control the armies now at war against the United States, will be received and considered by the Executive Government of the United States, and will be met by liberal terms on other substantial and collateral points, and the bearer or bearers thereof shall have safe conduct both ways.

"ABRAHAM LINCOLN."

Mr. Greeley was authorized by Mr. Lincoln in his letter of July 9th, to tender the Confederate agents safe conduct, only upon the *condition* that they professed to have a *proposition of Jefferson Davis in writing, for peace*, embracing the restoration of the Union, and abandonment of slavery. But it seems he did not communicate this to the rebel agents. Mr. Greeley was entrapped, and did not discover it. Mr. Lincoln, feeling the injustice which a partial publication of this correspondence did to him, and to the country, asked Mr. Greeley to permit the whole correspondence to be published, omitting certain passages in Mr. Greeley's letters which were calculated in his judgment, to injure and depress the country. Mr. Greeley declined, unless the whole was published, and Mr. Lincoln with characteristic magnanimity, submitted in silence to the injustice, writing the following letter to Mr. Raymond: *

"EXECUTIVE MANSION, Washington, August 15, 1864.

"Hon. HENRY J. RAYMOND:

"*My Dear Sir:*—I have proposed to Mr. Greeley that the Niagara correspondence be published, suppressing only the parts of his letters over which the red pencil is drawn in the copy, which I herewith send. He declines giving his consent to the publication of his letters, unless these parts be published with the rest. I have concluded that it is better for *me* to submit for the time, to the consequences of the false position in which I consider he has placed me, than to subject the *country* to the consequences of publishing these discouraging and injurious parts. I send you this, and the accompanying copy, not for publication, but merely to explain to you, and that you may preserve them until their proper time shall come."

"Yours truly,

"ABRAHAM LINCOLN."

The rebels, under John Morgan, made a desperate raid into Kentucky, and although checked and defeated by General Burbridge at Cynthiana, received so much encouragement and sympathy from the citizens, that Mr. Lincoln felt compelled to suspend the writ of *Habeas Corpus*, and declare martial law in that State.

* Raymond's Life of Lincoln, p, 587.

The Presidential election approached, coming now in the midst of a civil war, which wrapt the whole country, and aroused everywhere the most intense and violent passions; it was felt that it was a fearful ordeal through which the country must pass. The Confederates still held their Capital; three great rebel armies still held the field; the public debt was steadily and rapidly increasing. Under the pressure of an imperative military necessity, the administration had used its Constitutional right of suspending the *Habeas Corpus*, the great safeguard of civil liberty; and dealt with individuals deemed dangerous with a severity as absolute as the most energetic governments of Europe had been accustomed to do in time of war. Taxes were increasing; the President ordered new drafts to fill up the ranks of the decimated armies. But yet victory, a restored Union, and universal liberty, began to be clearly visible as the results. The democratic party availed itself of every means to secure popular favor and success at the elections. It was in the midst of the conflict, when the administration was straining every nerve to crush the rebellion, that the Democratic National Convention had met at Chicago, and declared the *war a failure*, and demanded that immediate efforts be made for a cessation of hostilities, etc. The following is the important resolution upon which the election turned:

"*Resolved*, That this Convention does explicitly declare, as the sense of the American people, that after *four years of failure to restore the Union by the experiment of war*, during which, under the pretense of military necessity, or war power, higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired; justice, humanity, liberty, and the public welfare demand *that immediate efforts be made for a cessation of hostilities, with a view to an ultimate Convention of the States or other peaceable means, to the end that, at the earliest practicable moment peace may be restored* on the basis of the Federal Union of the States." *

The Union War party joyfully accepted the issue thus boldly tendered. With this frank avowal they did not doubt

* Raymond's Life of Lincoln, p. 592.

the result, and they prosecuted the canvass with energy and confidence. Whether the war should go on with vigor, to the complete and final overthrow of slavery and the rebellion, or whether hostilities should cease, was the condition of the canvass. With this great and overshadowing issue, the people cared little for the wrangling over the petty questions which arise in a Presidential canvass.

The President sought no disguise that the war was now "*for liberty and Union.*" He said during the canvass to a citizen of the West, in substance: "There are now in the service of the United States nearly two hundred thousand colored men, most of them under arms. The Democratic strategy demands that these forces be disbanded, and that the masters be conciliated by restoring them to slavery. The black men who now fight for us, and who assist Union prisoners to escape, are to be converted into our enemies in the vain hope of gaining the good will of their masters." "Take" said he, "200,000 men from our side, and put them in the battle-field or corn-field against us, and we would be compelled to abandon the war. There are men base enough to propose to me to return to slavery our *black warriors* of Port Hudson and Olustee, and thus win the respect of the masters they fought!" "Should I do so?" said he, with indignation glowing in every feature, "I should deserve to be damned in time and in eternity. Come what may," said he, "I will keep my faith with the black man. Freedom has given us 200,000 men raised on Southern soil. It will give us more. No human power can subdue this rebellion without the emancipation policy. *I will abide the issue.*" He did abide the issue, and the glorious cause of liberty, blessed by God, and sustained by the people, triumphed. The victories of Sheridan and Sherman, Farragut and Grant, re-acted upon the people, and swelled the majority by which Lincoln was reelected. He received all the electoral votes given, except those of three States, New Jersey, Delaware and Kentucky. His majority on the popular vote was more than 400,000, a larger majority than was ever before given for any Presidential candidate. Those who feared the ordeal of a popular election in the midst of the passions of civil war, were compelled to acknowledge

the calmness, the wisdom and dignity with which the American people passed through this crisis. They came out of it stronger, more resolute, and more united than ever before. An observing world was compelled to acknowledge this people capable of self government.

At a late hour on the night of the election Mr. Lincoln was serenaded, and in response said:

"I am thankful to God for this approval of the people. But while deeply grateful for this mark of their confidence in me, if I know my own heart, my gratitude is free from any taint of personal triumph. I do not impugn the motives of any one opposed to me. It is not in my nature to triumph over any one, but I give thanks to Almighty God for this evidence of the people's resolution to stand by free government and the rights of humanity."

CHAPTER XXV.

THE SECOND SESSION OF THE 38TH CONGRESS—CONSTITUTIONAL AMENDMENT ABOLISHING AND PROHIBITING SLAVERY THROUGHOUT THE REPUBLIC.

THE PRESIDENT'S MESSAGE—ANTI-SLAVERY MEASURES—A BUST FOR CHIEF JUSTICE TANEY—SALMON P. CHASE APPOINTED CHIEF JUSTICE—THE CONSTITUTIONAL AMENDMENT—PASSAGE OF THE JOINT RESOLUTION THROUGH CONGRESS—RATIFICATION THEREOF BY THE STATES.

WE now come to the Second Session of the 38th Congress, and the last Annual Message of President Lincoln. Congress had never before during his administration opened under such happy auspices. Victories in the East and in the West, and increasing and accumulating evidence of the exhaustion of the Confederacy, indicated the early triumph of the Union cause. Mr. Lincoln had just been re-elected by a majority unprecedented; thereby stamping upon his administration the approval of the people.

The Emancipation Proclamation, the employment of negro soldiers, and the Constitutional Amendment prohibiting slavery, had been distinctly presented to the people, and had received their emphatic approval. It was under these cheering circumstances that in December 1864, Congress met and received from Abraham Lincoln his last Annual Message. He commenced this peculiarly interesting State paper, by expressing the "profoundest gratitude to Almighty God." The careful student of Mr. Lincoln's State papers, and other writings will observe a constantly increasing religious sentiment exhibiting itself. Especially is this discernible after the death of his idolized son Willie, in February, 1862.

After reviewing the relations of the United States with other nations, he announced the opening of the ports of Norfolk, Fernandina, and Pensacola. Then alluding to the Arguelles case, in which a slave trader seeking asylum in the United States had been surrendered to Spain, he said: "For myself I have no doubt of the power and duty of the Executive under the laws of nations to exclude enemies of the human race from an asylum in the United States. If Congress should think that proceedings in such case lack the authority of law, or ought to be further regulated by it, I recommend that provision be made for effectually preventing foreign slave traders from acquiring domicil and facilities for their criminal occupation in this country.

He then called attention to the circumstances which had induced him to give notice to the Government of Great Britain of the termination of the treaty stipulation of 1817, which had limited the number of armed vessels on the Great Lakes.

"In view of the insecurity of life in the region adjacent to the Canada border by recent assaults and depredations committed by inimical and desperate persons who are harbored there, it has been thought proper to give notice that after the expiration of six months, the period conditionally stipulated in the existing arrangements with Great Britain the United States must hold themselves at liberty to increase their naval armament upon the Lakes, if they shall find that proceeding necessary. The condition of the border will necessarily come into consideration in connection with the question of continuing or modifying the rights of transit from Canada through the United States, as well as the regulation of imports, which were temporarily established by the Reciprocity Treaty of the 5th of June, 1854."

He then proceeds to speak of the very important subject of finance, and the receipts and expenditures of Government. He says:

"The legislation of the last session of Congress has beneficially effected the revenue. Although sufficient time has not yet elapsed to experience the full effect of several of the provisions of the acts of Congress imposing increased taxation, the receipts during the year from all sources, upon the basis of warrants signed by the Secretary of the

Treasury, including loans and the balance in the treasury, on the 1st day of July, 1863, were $1,394,796,007 62, and the aggregate disbursements upon the same basis were $1,298,056,191 89, leaving a balance in the treasury, as shown by warrants, of $96,739,905 73. Deduct from these amounts the amount of the principle of the public debt redeemed, and the amount of issues in substitution therefor, and the actual cash operations of the treasury were receipts, $884,076,646.77, disbursements $865,234,087.86, which leaves a cash balance in the treasury of $18,842,558.71. Of the receipts, there were derived from customs, $102,316.152.99; from lands, $588,333.29; from direct taxes, $575,648,96; from internal revenues, $109,741,134.10; from miscellaneous sources, $47,511,448.10; and from loans applied to actual expenditures, including former balance, $623,443,929.13. There were disbursed, for the civil service, $27,505,579.46; for pensions and Indians, $7,517,930.97; for the War Department, $60,791,842.97; for the Navy Department, $85,733,292.97; for interest of the public debt, $52,685,421.69. Making an aggregate of $865,234,087.86 and leaving a balance in the treasury of $18,842,558.71, as before stated."

Of the public debt he says:

"The public debt from the 1st day of July last, as appears from the books of the Treasury, amounted to one billion, seven hundred and forty million, six hundred and ninety thousand, four hundred and eighty-nine dollars, and forty-nine cents. Probably, should the war continue for another year, that amount may be increased by not far from five hundred millions. Held as it is, for the most part by our own people, it has become a substantial branch of National, though private property. For obvious reasons the more nearly this property can be distributed among all the people the better. To favor such general distribution, greater inducements to become owners, perhaps might with good effect and without injury, be presented to persons with limited means. With this view I suggest whether it might not be both expedient and competent for Congress to provide that a limited amount of some future issue of public securities might not be held, by any *bona-fide* purchaser, exempt from taxation, and of seizure from debt, under such restrictions and limitations as might be necessary to guard against abuse of so important a privilege. This would enable prudent persons to set aside a small annuity against a possible day of want. Privileges like these would render the possession of such securities to the amount limited most desirable to any person of small means who might be able to save enough for the purpose. The great advantage of citizens being

creditors as well as debtors with relation to the public debt, is obvious. Men readily perceive that they cannot be much oppressed by a debt which they owe to themselves. The public debt on the 1st day of July last, although somewhat exceeding the estimate of the Secretary of the Treasury made to Congress at the commencement of last session, falls short of the estimate of that officer made in the preceding December, as to its probable amount at the beginning of this year, by the sum of $3,995,079.33. This fact exhibits a satisfactory condition and conduct of the operations of the treasury."

Of the National Banking System, the great financial measure of Mr. Chase, he says:

"The national banking system is proving to be acceptable to capitalists and to the people. On the 25th day of November, five hundred and eighty-four national banks had been organized, a considerable number of which were conversions from State banks. Changes from the State system to the national system are rapidly taking place, and it is hoped that very soon there will be in the United States no banks of issue not authorized by Congress, and no bank-note circulation not secured by the Government. That the Government and the people will derive general benefits from this change in the banking system of the country, can hardly be questioned. The national system will create a reliable and permanent influence in support of the national credit, and protect the people against losses in the use of paper money. Whether or not any further legislation is advisable for the suppression of State bank issues, it will be for Congress to determine. It seems quite clear that the Treasury cannot be satisfactorily conducted, unless the Government can exercise a restraining power over the bank-note circulation of the country.

Referring to the report of the Secretary of War for the details of the operations of the Army and of the Navy, he says:

"The report of the Secretary of the Navy presents a comprehensive and satisfactory exhibit of the affairs of that department and of the naval service. It is a subject of congratulation and laudable pride to our countrymen, that a navy of such proportions has been organized in so brief a period, and conducted with so much efficiency and success. The general exhibit of the navy, including vessels under construction on the 1st of December, 1864, shows a total of 671 vessels,

carrying 4,610 guns, and 510,396 tons, being an actual increase during the year over and above all losses by shipwreck or in battle, of 83 vessels, 167 guns, and 42,427 tons. The total number of men at this time in the naval service, including officers, is about 51,000. There have been captured by the navy during the year 324 vessels, and the whole number of naval captures since hostilities commenced is 1,379, of which 267 are steamers."

After alluding to the rapid sale and settlement of the public lands, notwithstanding the war, and the rapid progress of the great Pacific railway, he comes to the all-absorbing subject of the war. He says:

"The war continues. Since the last annual message, all the important lines and positions then occupied by our forces have been maintained, and our armies have steadily advanced, thus liberating the regions left in the rear; so that Missouri, Kentucky, Tennessee, and parts of other States, have again produced reasonably fair crops.

"The most remarkable feature in the military operations of the year is General Sherman's attempted march of three hundred miles, directly through an insurgent region. It tends to show a great increase of our relative strength, that our General-in-Chief should feel able to confront and hold in check every active force of the enemy, and yet to detach a well-appointed large army to move on such an expedition. The result not yet being known, conjecture in regard to it cannot here be indulged."

Of the progress towards reconstruction, "moulding society for durability in the Union," as he terms it in his own most significant phraseology, he says "although these movements are short of complete success, it is much in the right direction that 12,000 citizens in the States of Arkansas and Louisiana have organized loyal state Governments with free constitutions, and are earnestly struggling to maintain and administer them. The movements in the same direction, more extensive, though less definite in Missouri, Kentucky and Tennessee, should not be overlooked. "But Maryland," he says, exultingly, "presents an example of complete success. Maryland is secure to liberty and Union for all the future. The genius of rebellion will no more claim Maryland; like another foul spirit being driven out, it may seek to tear her, but it will woo her no more."

Upon the pending question of the proposed constitutional amendment abolishing slavery, the question of all others of overshadowing importance, he says:

"At the last session of Congress, a proposed amendment of the constitution, abolishing slavery throughout the United States, passed the Senate, but failed for the lack of the requisite two-thirds vote in the House of Representatives. Although the present is the same Congress, and nearly the same members, and without questioning the wisdom or patriotism of those who stood in opposition, I venture to recommend the reconsideration and passage of the measure at the present session. Of course the abstract question is not changed, but an intervening election shows almost certainly that the next Congress will pass the measure, if this does not. Hence there is only a question of time as to when the proposed amendment will go to the States for their action, and as it is to go at all events, may we not agree that the sooner the better? It is not claimed that the election has imposed a duty on members to change their views or their votes, any further than as an additional element to be considered. Their judgment may be affected by it. It is the voice of the people now for the first time heard upon the question. In a great national crisis like ours, unanimity of action among those seeking a common end is very desirable—almost indispensable; and yet no approach to such unanimity is attainable unless some deference shall be paid to the will of the majority. In this case the common end is the maintenance of the Union, and among the means to secure that end, such will, through the election, is most clearly declared in favor of such constitutional amendment. The most reliable indication of public purpose in this country is derived through our popular elections. Judging by the recent canvass and its results, the purpose of the people within the loyal States to maintain the integrity of the Union was never more firm or more nearly unanimous than now. The extraordinary calmness and good order with which the millions of voters met and mingled at the polls, gives strong assurance of this. Not only all those who supported the Union ticket (so called,) but a great majority of the opposing party also, may be fairly claimed to entertain and to be actuated by the same purpose. It is an unanswerable argument to this effect that no candidate for any office whatever, high or low, has ventured to seek votes on the avowal that he was for giving up the Union. There has been much impugning of motives, and much heated controversy as to the proper means and best mode of advancing the Union cause; but in the distinct issue of Union or no Union, the politicians have shown their instinctive knowledge that there is no diver-

sity among the people. In affording the people a fair opportunity of showing one to another, and to the world, their firmness and unanimity of purpose, the election has been of vast value to the Union cause."

Upon the question of how far the Republic had been exhausted by the war in men and resources, he makes the following interesting and striking statements:

"The election has exhibited another fact, not less valuable to be known—the fact that we do not approach exhaustion in the most important branch of the national resources—that of living men. While it is melancholy to reflect that the war has filled so many graves, and caused mourning to so many hearts, it is some relief to know that, compared with the surviving, the fallen brave have been so few. While corps and divisions and regiments have formed and fought and dwindled and gone out of existence, a great majority of the men who composed them are still living. The same is true of the naval service. The election returns prove this. So many voters could not else be found. The States regularly holding elections, both now and four years ago—to wit: California, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, West Virginia, and Wisconsin —cast 3,982,011 votes now, against 3,870,222 cast then; showing an aggregate now of 3,982,011, to which is to be added 33,762 cast now in the new States of Kansas and Nevada, which States did not vote in 1860; thus swelling the aggregate to 4,015,773, and the net increase, during the three and a half years of war, to 145,551. A table is appended, showing particulars. To this again should be added the numbers of all soldiers in the field belonging to Massachusetts, Rhode Island, New Jersey, Delaware, Indiana, Illinois, and California, who by the laws of those States could not vote away from their homes, and which number cannot be less than 90,000. Nor yet is this all. The number in organized Territories is triple now what it was four years ago, while thousands, white and black, join us as the national arms press back the insurgent lines. So much is shown affirmatively and negatively by the election. It is not material to inquire how the increase has been produced, or to show that it would have been greater but for the war, which is probably true. The important fact remains demonstrated that we have more men now than we had when the war began; that we are not exhausted, nor in process of exhaustion; that we are gaining

strength, and may, if need be, maintain the contest indefinitely. This as to men.

COMPARATIVE VOTE, 1860 AND 1864.

	1860.	1864.
Kentucky	148,216	91,300
Maine	97,918	115,141
Maryland	92,502	72,703
Massachusetts	169,533	175,487
Michigan	154,747	162,412
Minnesota	34,799	42,534
Missouri	165,538	90,000
New Hampshire	65,953	69,111
New Jersey	121,125	128,680
New York	675,156	730,661
Ohio	442,441	470,745
Oregon	14,410	† 14,410
Pennsylvania	476 442	572,697
Rhode Island	19,931	22,187
Vermont	42,844	55,811
West Virginia	46,195	33,874
Wisconsin	152,180	148,513
Total	3,870,222	3,982,011
Kansas	17,234	
Nevada	16,528	33,762
Total		4,015,713

Material resources are now more complete and abundant than ever. The national resources, then, are unexhausted, and, as we believe, inexhaustible. The public purpose to re-establish and maintain the national authority is unchanged, and, as we believe unchangeable."

He then goes on to say that the issue with the rebel leaders could only be decided by war and victory. Negotiation was useless. On this point he said:

"On careful consideration of all the evidence accessible, it seems to me that no attempt at negotiation with the insurgent leader could result in any good. He would accept of nothing short of the severance of the Union. His declarations to this effect are explicit and oft repeated. He does not attempt to deceive us. He affords us no excuse to deceive ourselves. * * * * * * * * *

† Estimated.

We cannot voluntarily yield it. Between him and us the issue is distinct, simple, and inflexible. It is an issue which can only be tried by war, and decided by victory. If we yield, we are beaten. If the Southern people fail him, he is beaten. Either way, it would be the victory and defeat following war. What is true, however, of him who heads the insurgent cause, is not necessarily true of those who follow. Although he cannot reaccept the Union, they can. Some of them we know already desire peace and reunion. The number of such may increase. They can at any moment have peace, simply by laying down their arms and submitting to the national authority under the Constitution. After so much the Government could not, if it would, maintain war against them. The loyal people would not sustain or allow it. If questions should remain, we would adjust them by the peaceful means of legislation, conference, courts, and votes, operating only in constitutional and lawful channels. Some certain and other possible questions are, and would be beyond the executive power to adjust—as, for instance, the admission of members into Congress, and whatever might require the appropriation of money. The executive power itself would be greatly diminished by the cessation of actual war. Pardons and remissions of forfeiture, however, would still be within the executive control. In what spirit and temper this control would be exercised, can be fairly judged of by the past. A year ago general pardon and amnesty upon specified terms were offered to all except certain designated classes, and it was at the same time made known that the excepted classes were still within contemplation of special clemency. During the year many availed themselves of the general provision, and many more would, only that the signs of bad faith in some led to such precautionary measures as rendered the practical process less easy and certain. During the same time, also, special pardons have been granted to individuals of excepted classes, and no voluntary application has been denied.

"Thus practically the door has been for a full year open to all, except such as were not in condition to make free choice—that is such as were in custody or under constraint. It is still so open to all; but the time may come, probably will come, when public duty shall demand that it be closed, and that in lieu more vigorous measures than heretofore shall be adopted."

He closes this wise and statesman-like message in the following memorable words; words the more they are pondered by the American people, in the light of the present,

the more deep will be the regret that this great and good man was not permitted himself to finish the work of restoring the Union. "In presenting" says he, "the abandonment of armed resistance to the National authority on the part of the insurgents, as the only indispensable condition on the part of the Government to peace, I retract nothing heretofore said as to slavery. I repeat the declaration made a year ago, that while I remain in my present position, *I shall not attempt to retract or modify the Emancipation Proclamation; nor shall I return to slavery any person who is free* by the terms of that proclamation, or by any of the acts of Congress." Rather than do this he would retire from the office of President.

"If the people" said he, "should, by whatever mode or means, make it an Executive duty to reënslave such persons, another, and not I, must be their instrument to perform it. In stating a single condition of peace, I mean simply to say, that the war will cease on the part of the Government, whenever it shall have ceased on the part of those who began it."

This session of Congress went forward with the work of removing from the Statute book all laws which had been passed for the support and maintenance of slavery, and creating disabilities on the part of the negro race. A law was enacted providing that no person should thereafter be disqualified from carrying the United States' mails on account of color. At this session, the law finally passed and received the prompt approval of the President, giving freedom to the families of colored soldiers.

Senator Wilson, Chairman of the Committee on Military Affairs, speaking of the resolution, said: "The committee have three times reported the substance of this resolution. It simply provides that the wives and children of soldiers of the Republic shall be made free. The needs of the country have placed weapons in the hands of the slaves. They are to-day in the trenches before Richmond and Petersburg, and on the shores of the Carolinas; and they keep watch and ward over the Mississippi from Cairo to the Gulf. They are everywhere doing their duty bravely and well. Butler

and Banks, Meade and Burnside, Warren, Hancock, and Grant have all borne testimony to their fidelity, their courage, and their services. It is estimated that from 75,000 to 100,000 persons, wives and children of these soldiers, are held in slavery. It is a burning shame to the country; it is an indecency to the American people, to hold the wives and children in slavery, of men who are periling their lives for the country." The joint resolution making free the wives and children of colored soldiers passed the House on the 22d of February, 1865.

Senator Trumbull, Chairman of the Committee on the Judiciary, of the Senate, on the 23d of February, moved to proceed to the consideration of the bill which had been reported from that committee, providing for a bust of the late Chief Justice Taney to be placed in the Supreme Court room. Mr. Sumner objected that an emancipated country should make a bust to the author of the Dred Scott decision. Senator Trumbull said: "He (Taney) was a great, and learned, and an able man, and he trusted the Senate would take up and pass the bill.*

Mr. Sumner in reply, said:

"The Senator from Illinois says that this idea of a bust is not to be hooted down. Let me tell that Senator that the name of Taney is to be hooted down the page of history. Judgment is beginning now; and an emancipated country will fasten upon him the stigma which he deserves. The Senator says that he for twenty-five years administered justice. He administered justice at last wickedly, and degraded the judiciary of the country, and degraded the age.

Mr. JOHNSON. "I cannot fail to express my astonishment at the course of the honorable Senator from Massachusetts, which he thinks it, I suppose, his duty to pursue. Sir, if the times in which we are living are honestly and truly recorded by the historian, I think the honorable member from Massachusetts will be very happy if he stands as pure and as high upon the historic page as the learned judge who is now no more.

The honorable member seems to suppose that the decision in the Dred Scott case was a decision of the Chief Justice alone. It was not so. In that decision a majority of the court concurred. Whether that decision is right or not, permit me to say to the honorable member there are men belonging to the profession at least his equals, who think it to have been right; but whether right or wrong, those who knew the moral character of the Chief Justice as well as I did, would blush to say that his name is to be execrated among men. Sir, the decisions of that learned jurist are now quoted with approbation everywhere, and there is not a judge upon the bench now, three or four of them having been selected by the present incumbent of the Presidential office, who will not say at once that a brighter intellect never adorned the judicial station. But it is a matter of history. Every Judge who has been at the head of that tribunal has his bust placed in that court room. Does the honorable member wish to have it unknown in future times that there was

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 1012-13.

such a Chief Justice? I suppose he does; I presume he does; and why? Because he differed with him. If so, to be consistent,, he will be compelled to wish that two-thirds of the profession in the United States, and two-thirds of the country, should be forgotten in all after time, for I am sure I am not mistaken in supposing that at least that number will be found in opposition to the peculiar opinions of the honorable member from Massachusetts." * * * * *

Mr. SUMNER. "I objected to this joint resolution some days ago, when it was reported by the Senator from Illinois, [Mr. TRUMBULL,] and he was disposed to hurry it at once upon the Senate, to the exclusion of important business. I objected to it again to-day, but it was from no indisposition to discuss it.

I know well the trivial apology which may be made for this proposition, and the Senator from Maryland [Mr. JOHNSON] has already shown something of the hardihood with which it may be defended. But in the performance of public duty I am indifferent to both.

"The apology is too obvious. 'Nothing but good of the dead.' This is a familiar saying, which, to a certain extent, may be acknowledged. But it is entirely inapplicable when statues and busts are proposed in honor of the dead. Then, at least, truth must prevail.

"If a man has done evil during life he must not be complimented in marble. And if indiscreetly it is proposed to decree such a signal honor, then the evil he has done must be exposed; nor shall any false delicacy seal my lips. It is not enough that he held high place, that he enjoyed worldly honors, or was endowed with intellectual gifts:

'Who wickedly is wise, or madly brave,
Is but the more a fool, the more a knave.'

"What is the office of Chief Justice, if it has been used to betray Human Rights? The crime is great according to the position of the criminal.

"If you were asked, sir, to mention the incident of our history previous to the rebellion which was in all respects most worthy of condemnation, most calculated to cause the blush of shame, and most deadly in its consequences, I do not doubt that you would say the Dred Scott decision, and especially the wicked opinion of the Chief Justice on that occasion. I say this with pain. I do not seek this debate. But when a proposition is made to honor the author of this wickedness with a commemorative bust at the expense of the country, I am obliged to speak plainly.

"I am not aware that the English judges who decided contrary to Liberty in the case of ship-money, and thus sustained the king in those pretensions which ended in civil war, have ever been commemorated in marble. I am not aware that Jeffreys, Chief Justice and Chancellor of England, famous for his talents as for his crimes, has found any niche in Westminster Hall. No, sir. They have been left to the judgment of history, and there I insist that Taney shall be left in sympathetic companionship. Each was the tool of unjust power. But the power which Taney served was none other than that Slave Power which has involved the country in war.

"I speak what cannot be denied when I declare that the opinion of the Chief Justice in the case of Dred Scott was more thoroughly abominable than anything of the kind in the history of courts. Judicial baseness reached its lowest point on that occasion. You have not forgotten that terrible decision where a most unrighteous judgment was sustained by a falsification of history. * * *

"Sir, it is not fit, it is not decent, that such a person should be commemorated by a vote of Congress; especially at this time when liberty is at last recognized. If you have money to appropriate in this way, let it be in honor of the defenders of liberty now gathered to their fathers. There was John Quincy Adams. There also was Joshua R. Giddings. Let their busts be placed in the court room, if you please, where with marble lips they can plead always for human rights, and teach, judge, and advocate, the glory and the beauty of justice. Then will you do something not entirely unworthy of a regenerated land; something which will be an example for future times; something which will help to fix the standard of history.

"I know that in the court room there are busts of the other Chief Justices. Very well. So in the hall of the doges, at Venice, there are pictures of all who filled that

high office in unbroken succession with the exception of Marino Faliero, who, although as venerable from years as Taney, was deemed unworthy of a place in that line. Where his picture should have been, there was a vacant space which testified always to the justice of the republic. Let such a vacant space in our court room testify to the justice of our Republic. Let it speak in warning to all who would betray liberty."

Senator Hale said, "I am not willing to pass an appropriation to do honor to the Dred Scott decision, nor to its author." He said:

"The Supreme Court of the United States was at that time the thrall of slavery, just as much so as Gurth, the son of Beowulph, and Wamboa, son of Witless, that had a ring about their necks by which they were marked 'born thrall of Cedric, of Rotherwood.' The Supreme Court, the thrall of slavery, did not think it prudent to publish the decision which they made at December term, 1855, and for what reason? There was a Presidential election coming on in the fall of 1856; and if the decision had been made at the sitting of 1855, and the public had known it; if the decision which was afterward proclaimed in 1857 had been declared in 1855, or the early part of 1856, the sage of Wheatland would now be an ex-Senator instead of an ex-President. The Supreme Court kept back the decision."

Senator Wilson said, "I have no heart to follow any man to the grave with reproaches, nor to dishonor his name, or defame his memory. But I am impelled by an imperative sense of duty to vote against the resolution to perpetuate in marble the features of the Judge who pronounced the Dred Scott decision, the greatest crime in the judicial annals of the Republic." He said:

"You may, sir, erect statues to him; you may pass resolutions, you may pronounce eulogies; but the future, the coming future, grand and great, of emancipated, disenthralled, and regenerated America, will place him just where it will places others who were recreant to liberty and humanity. That future will declare that he nurtured the spirit of slavery, strengthened its power, enthroned it, hedged it around with judicial authority, till it, in the pride and arrogance of its power, raised its hand against the Nation, and rushed headlong into the fire and blood of civil war."

The Senate adjourned without bringing the resolution to a direct vote, and the friends of Chief Justice Taney did not bring the subject again to the attention of the Senate.

Justice Taney died October 12th, 1864, and there was great interest felt by the people, and much speculation in the public press, in regard to his successor. The office of Chief Justice is only second in dignity to that of President, and considering its tenure scarcely, if at all, inferior to the Presidency in importance. Indeed looking to the momentous legal and Constitutional questions likely to grow out of the

war, the office of Chief Justice was the most important in the Government. Those who did not thoroughly know the magnanimity and high sense of duty which governed Mr. Lincoln, could not believe he would nominate Mr. Chase for that position. Recalling what was termed the want of fidelity to his Chief on the part of Secretary Chase, in permitting his friends to seek his nomination for the Presidency over Mr. Lincoln, while continuing to hold a place in his Cabinet, and the circumstances connected with his resignation of the office of Secretary, they were quite sure Mr. Chase would not be Chief Justice. But this opinion did injustice to Mr. Lincoln. It is known that nothwithstanding all the influence brought in favor of others for this high position, Mr. Lincoln never hesitated a moment in his determination to appoint Mr. Chase. He believed him the most fit man for the station, and he said: "We have stood together in the time of trial, and I should despise myself if I allowed personal differences to affect my judgment of his fitness for the office of Chief Justice." The appointment of Salmon P. Chase as Chief Justice of the United States was promptly sent to the Senate, on the meeting of Congress, and as promptly confirmed.

Nothing perhaps more strikingly illustrates the revolution in opinion, and in the Government, than this change in the Supreme Court. Taney was the representative of slavery; Chase had long been the champion of liberty. Taney's dy nasty on the bench will ever mark the period of the supreme rule of slavery in the Republic, as that of Chase, the advent of universal freedom. The author of the Dred Scott decision gave place to the author of the great argument for freedom in the Van Zant case. In that case Mr Chase said to the then Chief Justice, "*Execrandus qui non favet libertati.*" "He who will not favor liberty, shall be accursed." A maxim, of which there has been no more striking illustration than that furnished by the posthumous fame of Chief Justice Taney.

The gravity of the usually sober proceedings of the House, was relieved by an amusing episode, occurring between Cox of Ohio, and Washburne of Illinois, during the discussion of the Freedmen's Bureau bill. Mr. Cox made a curious and sarcastic speech upon what he called "*miscegenation*," charging

the Republican party with being in favor of the amalgamation of the black and white races; and in this speech he was especially severe and contemptuous upon the negro. Washburn immediately followed him, and for the purpose of showing the inconsistency of the member from Ohio, read the following extracts, complimentary to the negro from a lively and clever book written by Mr. Cox, and entitled "The Buckeye Abroad." *

"We shall not probably have the pleasure at next Congress of hearing my friend from Ohio rehearse this speeeh here, because I think, in the light of the recent elections in Ohio, and particularly in the district of the honorable gentlemen, I can say to him in the language of Watts, and in the spirit of the utmost kindness,

> 'You living man, come view the ground
> Where you must shortly lie.'

"I desire to show the House what the gentleman from Ohio has written in regard to the 'African,' in a book entitled 'A Buckeye Abroad; or Wanderings in Europe and in the Orient.' By S. S. Cox. He is describing St. Peter's, and says: 'In the mean time seraphic music from the Pope s select choir ravishes the ear, while the incense titillates the nose. Soon there arises in the chamber of theatrical glitter'—What?—'a plain unquestioned African! [laughter,] and he utters the sermon in facile Latinity, with graceful manner. His dark hands gestured harmoniously with the rotund periods, and his swart visage beamed with a high order of intelligence.' [Laughter.] What was he? Let the gentleman from Ohio answer: 'He was an Abyssinian. What a commentary was here upon our American prejudices! The head of the great Catholic Church surrounded by the ripest scholars of the age, listening to the eloquence'—of whom?—'of the despised negro; and thereby illustrating to the world"—what?—'thereby illustrating to the world the common bond of brotherhood which binds the human race.' [Roars of laughter.]

"But the gentleman goes on to say: 'I confess that, at first, it seemed to me a sort of theatrical mummery, not being familiar with such admixtures of society.' That was the first impression of my young and festive friend from Ohio as he wandered through the gilded corriders of St. Peter's. (Laughter.] 'But,' he says, 'on reflection, I discerned in it the same influence which, during the dark ages, conferred such inestimable blessings on mankind. History records that from the time of the revival of letters, the influence of the Church of Rome had been generally favorable to science, to civilization, and to good government. Why?' Why, asks my friend from Ohio, is the Church of Rome so favorable to science, to civilization, and to good government? Let the gentleman answer: 'Because her system held then, as it holds now, all distinctions of caste as odious.' [Great laughter.] 'She regards no man, bond or free, white or black, as disqualified for the priesthood. This doctrine has, as Macaulay develops in his introductory chapters to his English history, mitigated many of the worst evils of society; for where race tyrannized over race, or baron over villein, Catholicism came between them and created an aristocracy altogether independent of race or feudalism, compelling even the hereditary master to kneel before the spiritual tribunal of the hereditary bondman. The childhood of Europe was passed under the guardianship of priestly teachers; who taught, as the scene in the Sistine chaper of an Ethiop addressing the proud rulers of Catholic Christendom teaches, that no distinction is regarded at Rome, save that which divides the priest from the people.

"'The sermon of the Abyssinian'—that is, of this colored person, this Roman citizen of 'African descent'—'in beautiful print was distributed at the door. I

* See Congressional Globe, First Session, Thirty-eighth Congress, p. 713.

bring one home as a trophy and a souvenir of a great truth which Americans are prone to deny or contemn.' [Laughter.]

"Now, I ask my friend from Ohio if he has still got that trophy and souvenir to bring into this Hall?"

Mr. COX. "If the gentleman will allow me to reply I will do so."

Mr. WASHBURNE, of Illinois. "I believe I have never in my life refused to yield to my friend from Ohio, but he refused to yield to me when he had the floor just now, and as, of course, I always like to be equal with him in politeness, I must decline to yield now."

Mr. Lincoln had strong hopes that the constitutional amendment abolishing and prohibiting slavery throughout the Republic, might now, at the 2d session of the 38th Congress be passed, notwithstanding it had failed at the previous session. Hence, as we have seen, he earnestly in his message urged the measure upon Congress. The fact that the people had by such a decided majority, declared in favor of this measure, strengthened the hope that it might now obtain the requisite constitutional majority of two-thirds. It will be remembered that the resolution had passed the Senate, with only six negative votes, and that a motion to reconsider was pending in the House, when the first session of this Congress adjourned.

On the 6th of January 1865, Mr. Ashley, of Ohio, who had entered the motion to reconsider, called it up and made an able speech in its favor.*

Mr. Orth, of Indiana, spoke earnestly in favor of the resolution. Messrs. Townsend of New York, Holman, Cravens and Voorhees of Indiana, spoke against it.

Mr. Voorhees said: †

"Such an act should not be consummated amid the fiery passions and vehement hates engendered by civil war. It should be the work of calmness and of peace. It is to last for all time. There is an idea of perpetuity attached to constitutions and constitutional amendments which does not belong to ordinary acts of Legislation. They should therefore be the work of unclouded wisdom, and not spring from the wrath and smoke of the battle-field. If we have spent a large portion of our time here since the war commenced in repealing or revising or amending our hasty and crude legislation, it should admonish us to refrain from laying a rude and innovating hand on the Constitution itself. When the sky shall again be clear over our heads, a peaceful sun illuminating the land, and our great household of States all at home in harmony once more, then will be the time to conisder what changes, if any, this generation desires to make on the work of Washington, Madison, and the revered sages of our antiquity."

Mr. Kasson of Iowa, spoke very ably in favor of the amendment. After replying to the arguments of Mr. Mallory and

* Congressional Globe, Second Session Thirty-eighth Congress, p. 141.

† Congressional Globe, Second Session, Thirty-eighth Congress, page 138.

other members of the Kentucky delegation against the resolution. He said:*

"I appeal from that old Kentucky to that young giant Kentucky that is now rising in its place and representing the purer democracy of our fathers. That young giant springing like Minerva full armed from the front of Jove, which took action in its Legislature on Friday last in the spirit of this amendment, and which has an eloquent exponent upon this floor, [Mr. YEAMAN,] from whom we have heard once on this question. I appeal to that young Kentucky, infused with the life of the times, capable of appreciating the spirit of events, competent to understand the necessity of a modification of our institutions which is required by the times, and by circumstances. And to that Kentucky I submit the argument which I render here, for it will meet me on the terms and premises and logic which I have sought humbly to submit to gentlemen on that side of the House to-day. * * *

"One of its effects as stated to me yesterday on competent authority was that one of the 'institutions' subordinate to the institution of slavery had been called into play against some soldiers of our army who had been taken prisoners and escaped. It is well known that it is a recognized business in parts of the South to keep and train blood-hounds for the recovery of fugitive slaves. I speak of it as a fact well known and not denied by anybody. My information is this, that four union soldiers recently escaped from one of the rebel camps were pursued by the aid of that subordinate institution and overtaken. A ring was formed about them, and the blood-hounds were let in on these four soldiers, who were torn to pieces amid the jeers and shouts of the rabble which encircled them! Tell me that it is my duty to act in any way for the protection of that institution! Let gentlemen go home to their constituents if they will, and say that they voted for the perpetuation of an institution capable of effects of that kind, one which denies the constitutional rights of our citizens in the South, suppresses the freedom of speech and of the press, throws types into the rivers when they do not print its will, and violates more clauses of the Constitution than were violated even by the rebels when they commenced this war, and which has, in effect, been in chronic and constant rebellion against the provisions of our national Constitution for the last twenty years. * * * * * * * * * * * *

"I had rather stand solitary, with my name recorded for this amendment, with the hope of justice twenty years hence, than to have all the honors which could be heaped upon me by any political party in opposition to this doctrine. You cannot resist the tide of modern civilization. It commenced with our Revolution, and it will flow on until unforeseen obstacles shall block up its course. It was sustained by the spirit of Washington and Madison and Jefferson, who denounced this institution; it was strengthened by France, when that great empire then flourished with the liberal genius of a republic, pronounced a decree for the entire abolition of slavery throughout her then extended colonial dominions. Thence it passed to England, and, although a bitter enemy of France, and disliking everything favored by the French people, yet after twenty years of contest under the leadership of men whose names stand high—none higher—on the roll of English history or of fame, freedom became a fixed fact throughout all the dominions of Great Britain. Subsequently it even permeated the arbitrary despotism of Russia, and now, by a decree of the imperial Government, seven million serfs are set free and restored to the natural rights of mankind."

Fernando Wood of New York, opposed the resolution, as did many others who sympathized with him politically.

Mr. Farnsworth of Illinois, an early radical abolitionist, one of the band of men which had under the lead of Lovejoy, built up the Liberty party in Illinois and the north-west,

*Congressional Globe, 2d session, 38th Congress, page 193.

spoke strongly in favor of the amendment. Perhaps the ablest speech against the resolution was made by Mr. Pendleton, the leader of the Democratic party in the House, and late its candidate for the Vice Presidency. He denied the constitutional power of Congress to pass the amendment. After ingeniously arguing the constitutional question he closed with the following eulogy upon the Constitution "as it is." *

"This Constitution demands the highest admiration of my intellect. It has received the profound homage of my heart. The oath which I have taken commands me to perform that duty which my intellect and my heart impose upon me; and I intend, through evil and through good report, through whatever storm of popular disfavor, to stand by it as I understand it, even to the end. I love my whole country, South as well as North; and it is because I love it that no act of mine shall retard the restoration of peace or the reconstruction of that Union which made it all my country. I am a Northern man; I have their prejudices; I love my section; I love its people; I love its institutions; I am jealous of its honor; and no act of mine shall stain the lustre of the fame of its good faith. I am a citizen of Ohio. It was the home of my fathers, and it is the home of my children; and I will stand by this Constitution because I wish to preserve forever the rights and dignities of my State, and maintain forever the liberties of its citizens.

"I am not influenced, therefore, by any peculiar love for the people of the South; by any peculiar regard for their institutions. I stand unmoved by the considerations which have been addressed to us. It is nothing to me that gentlemen from slaveholding States approve this amendment; it is nothing to me that the tide of the popular sentiment runs in favor of it; it is nothing to me that we of Northern States who believe as I do, stand alone, if alone we must stand. I intend to do my duty as I understand it, and I am prepared for the cousequences be they what they may."

Mr. Jenkes of Rhode Island said:

"But in this contest slavery commenced the fight; it chose its own battle-field; it has fought its battle, and it is dead. In the course of our victorious march, that battle-field has come into our possession, and the corpse of our dead enemy is upon it. Let us bury it quickly, and with as little ceremony as possible, that the foul odor of its rotting carcass may no longer offend us and the world."

Mr. Woodbridge of Vermont, denying property in man said:

† "Coming from the Green Mountain State, where the mountain brooks leap from rock to rock, in the full play of freedom; where the winds of heaven sing the song of freedom among the trees upon her mountain tops, and where a good old judge, fifty years ago, said to a claimant who claimed and presented a bill of sale for a slave, 'Show me a bill of sale from God Almighty, and your title will be recognized,' it is not necessary for me to say that in my judgment there can be no property in man.

"It will end in the triumph of the Union; it will end in the honor of the glorious old flag, so that it shall float again over every inch of the soil of the Union; but not alone because of Lincoln, not alone because of Farragut, not because of Sherman, not because of Grant, but because of God. Slavery has been tried at the

* Congressional Globe, 2d Sess. 38 Congress, p. 224-5.

† Congressional Globe, 2d session 38th Congress, p. 243-4.

bar of Omnipotence and been found wanting. Its history is not written in the history of the nineteenth century. When we come to the great and final victory it will not be a victory alone, sir, but it will be a change of front of the universe. Sir, it will open to the oppressed people of Europe renewed hope of freedom for themselves and their children.

"The adoption of this amendment will be beneficial to the South. Sir, I know that this war will end; and I entreat gentlemen upon the other side of the House to act with us in putting down, by constitutional means, the cause of this great and direful calamity. The war will end victoriously for us; but I want this resolution to pass, and then, when it does end, the beautiful statue of the goddess of Liberty which now crowns the majestic dome above our heads may look north and south east and west, upon a free nation, untarnished by aught inconsistent with freedom—redeemed, regenerated, and disenthralled by the genius of universal emancipation."

Mr. Thayer, representing faithfully the State of Pennsylvania, appropriately called the Keystone State, in reply to Pendleton and his eloquent expression of attachment to his native State, and his omission to express his higher allegiance to the Republic said: *

"Sir, I reverence the gentleman's affection and allegiance to his native State; I entertain the highest respect toward him for cherishing those feelings. But, sir, I would have been glad to have seen his great talents directed to maintain not only the glory of his native State, but also the sovereignty and perpetuity of this great brotherhood of States, the glory of this great American nation, now receiving its baptism of blood and fire. I should have preferred, sir, in a great crisis like the present, to listen not to such partisan and sectional cries as 'Long live Ohio!' or 'Long live Massachusetts!' or 'Long live Pennsylvania!' but to that nobler, better shout which now bursts like the roar of the ocean from hundreds of thousands of brave men, as they hurl themselves upon the common enemy of the American people. 'Long live the nation!' Long live the United States of America—one and inseparable!'"

One of the ablest and most eloquent speeches in favor of the amendment was made by Mr. Rollins of Missouri. He said, "The rebellion, instigated and carried on by slaveholders, has been the death-knell of the institution." * He said:

"I am a believer in the Declaration of Independence wherein it is asserted that 'all men are created equal.' I believe that when it says '*all men*' it means every man who was created in the 'image of his Maker' and walks on God's foot-stool, without regard to race, color, or any other accidental circumstance by which he may be surrounded. I know that astute politicians, crafty and ambitious men, in various periods of the republic have tried to draw a distinction between this man and that man, because he happened to have a different colored skin; that the Declaration was applicable alone to white men, and not to the black man, the red man, or any other than the white man. That the word 'all' meant a part, not 'all! But, sir, I believe that that general clause in the Declaration of Independence was meant by the immortal man who penned it, and the immortal men who signed it, and by a large majority of the great men of that day North and South, to assert the great principle, founded in the rights of man, founded in reason and in strict accordance to the law of morality and of the Divine will, that 'all men are created equal,' without distinction of race or of color. And although our

* Congressional Globe 2d Session, 38th Congress, page 246.
* Congressional Globe, 2d session, 38th Congress, page 258–260.

ancestors failed to apply the principle, although they were derelict in duty in living up to the great enunciation of principles which they made to the world and mankind, it is no proof to my mind that they did not mean exactly what I say they meant in the expression to which I have referred. * * * *

"An anti-slavery man in sentiment, and yet heretofore a large owner of slaves myself—not now, however—not exactly with my consent, but with or without my consent. The convention which recently assembled in my State, I learned from a telegram a morning or two ago, had adopted an amendment to our present State constitution for the immediate emancipation of all the slaves in the State. I am no longer the owner of a slave, and I thank God for it. If the giving up of my slaves without complaint shall be a contribution upon my part to promote the public good, to uphold the Constitution of the United States, to restore peace and preserve this Union, *if I had owned a thousand slaves, they would most cheerfully have been given up.* I say with all my heart, let them go, but let them not go without a sense of feeling and a proper regard on my part for the future of themselves and their offspring!"

Of the power of the slaveholders in ruling the Republic, he used the following language:

"Sir, the peculiar friends of slavery have controlled the government for much the greater part of the time since its establishment; and but for their own wickedness and folly might have saved the institution, and had their full share in its management for many years to come. If they have lost the political control, all are blameless save themselves!

'But yesterday, the word of Cæsar might
Have stood against the world; now lies he there,
With none so poor as to do him reverence.'

Of the necessity to abolish slavery, to secure permanent peace, he said: *

"We never can have an entire peace in this country as long as the institution of slavery remains as one of the recognized institutions of the country. It occurs to me that the surest way to obtain peace is to dispose of the institution now. From whatever cause, whether it be from Northern intermeddling—if you so call it; and there has been far too much of this—or from Southern arrogance and dictation and agitation, whether from one cause or the other, or both, slavery will always be a *disturbing element!* There will be no peace, there will be no perfect Union in this country until some way or other we shall have disposed of it. You cannot get over moral convictions. And so long as the General Government is connected with slavery or associated with it in any way, the great tide of emigration that will flow into the South, carrying new ideas of human rights, this institution will be a disturbing element, and we will have a continued agitation until, in some way or other, this question is disposed of. I have therefore brought myself up to the point. We may as well unsheath the sword and cut the Gordian knot!"

Of Mr. Lincoln's proposition for compensated emancipation he said:

"And, sir, if ever a set of people made a mistake on earth, it was the men of Kentucky, by whom I was somewhat governed myself when three years ago they rejected the offer of the President of the United States, who, wiser than we were, seeing the difficulties before us, but seeing the bow of promise set in the sky, and knowing what was to come, proposed to us to sweep the institution of slavery from

* Congressional Globe 2d session, 38th Congress, page 260-1.

the border States, offering the assistance of the United States to aid in compensating the loyal men of those States for their losses in labor and property. I say that the unwisest of all acts, so far as the border States were concerned, was the rejection of this liberal offer on the part of the Executive of the United States. I voted for the proposition at first, and then most unwisely changed my ground, showing the versatility of the man, and would perhaps, if it had come to a final vote, have opposed it, because my constituents were likely to be offended by the passage of such a law. They are now convinced, when their slaves are gone and their pockets are empty, that I was right in the first place, and they were wrong. I have read in the papers of this morning that the Legislature of Kentucky, after electing that distinguished and able man, James Guthrie, to the Senate of the United States, have passed a resolution in favor of the emancipation, '*with the consent of the owners, and with compensation.*"

Of the first introduction of slavery into the country he said:

"Mr. Speaker, I regret that the action of our ancestors in reference to slavery inflicted this evil upon us. And when I speak of our ancestors, I mean those of Plymouth rock and those of James river. And while in this house and in the other end of this Capitol, I have heard attacks on the pilgrim fathers, and while I saw lately a disreputable statement concerning the early settlers of Virginia, yet I have no sympathy with the spirit which prompts such efforts. Doubtless there were bad men as well as honest and good men among the original settlers of both the northern and the southern sections of our country. Through the promptings of cupidity and avarice, slavery was first established in this country. Could our ancestors who countenanced this institution in its establishment, witness the scenes of the present time, they would doubtless feel that they committed an unpardonable sin. And for this sin the North and the South are equally responsible. The people of both sections were engaged in this infamous traffic, and we are this day gathering the fruits of their iniquity. It is thus that

'Even handed justice
Commends the ingredients of our poisoned chalice
To our own lips;'

or, as the same great master expresses it—

'That we but teach
Bloody instructions which, being taught, return
To plague the inventor.'"

Speaking of Kentucky he said:

"I again, Mr. Speaker, refer to the State of Kentucky. She was admitted into the Union in 1799. She is the oldest daughter in the family of States. She was the first that was admitted after the adoption of the Federal Constitution. The great men of Kentucky of that day, proud and venerable names, advocated the propriety of a system of gradual emancipation. Will my friend from the Maysville district, [Mr, WADSWORTH,] will my friend from the Louisville district, [Mr. MALLORY,] will any of my friends who oppose this amendment declare that it would not have been a great boon if the original constitution of Kentucky had disposed of slavery forever? Will my very excellent friend [Mr. CLAY] say that it would not have been better for his distinguished and venerable father, who was a member of the convention which framed the first Constitution of Kentucky, would it not have been better for his immediate ancestors, to have met firmly the question at that day, and thus relieved the State from slavery, and the people of that noble Commonwealth of the terrible sorrows which have since fallen upon them?"

Of the effects of slavery upon Missouri, he eloquently said:

"I come now to speak a word in reference to my own State of Missouri. She came into the Union as it were in the midst of a revolution. For the purpose only

of having a few thousand slaves there, the whole continent shook with the agitation of this Missouri question. We were fighting for the privilege of holding a few slaves in bondage in that great State. We forgot the paramount good in this miserable struggle. Does my friend [Mr. HALL] from the district adjoining the one which I represent, does any man upon this floor tell me that it would not have been better for Missouri at once, in 1820, to have passed an ordinance for the gradual or immediate emancipation of her slaves, driving the institution beyond her boundaries? If there is such a man he is not as enlightened on the subject to-day as I am; he has not learned as much as I have done.

"Why, sir, what is Missouri to-day, and what would she have been had there been incorporated at that time, with her organic law, an ordinance declaring the institution of slavery forever abolished within her limits? We would have been as Ohio and Illinois and Iowa. We would have been rid of this curse which is ever reappearing, the curse of Slavery, the raw head and bloody bones, and we would have been clear of all these troubles. We would have had no bands of guerrillas watering the soil of our State with the blood of our peaceful citizens. We would have had no armed bodies of men stationed in all our borders to keep the peace. Look at Illinois, just across the Father of Waters. She came into the Union in 1818, two years before Missouri, and with less population, fewer mineral resources, not so many rivers, no better facilities for commerce, yet she has four thousand miles of railroad, while Missouri has only twelve hundred. Illinois has a prosperous, happy and peaceful population of two million, while we have only half this number, and our people are leaving in every direction, seeking homes in the territories, in the distant mountains, in South America, in Mexico, in Illinois, flying away from the horrble spectre of this infernal rebellion. Why is this? I know of but one real, substantial, specific reason, and that is that the framers of the Missouri constitution allowed slavery to remain, while Illinois was made forever free by the ordinance of 1787, penned by Thomas Jefferson, a son of Virginia, and by which Virginia ceded an empire within itself (the Northwestern Territory) to the United States.

"I have been looking up for light from above, and I begin to see it streaking along the horizon, however it may be with other gentlemen in this hall."

He then indulged in the following predictions of the future:

"When the poor and humble farmers and mechanics of the States of Alabama and Mississippi shall have left the bloody trials in which they are now engaged to tear down this temple of human liberty; when they will return perhaps to their desolated homes; when they shall look once more upon and hug to their bosoms the wives and children whom they love, in poverty and in rags; when they will go, perhaps without an arm, or without an eye, or without a leg, and in poverty to those who are dependent upon them for support in life, taught by experience, they will ask the question of themselves, 'Why all this? What have we been fighting for?' Thev will bring to mind the sweet memories of other days. They will remember the peaceful and happy home which they were induced to leave, and which they enjoyed under the benign influences of wholesome and liberal laws passed here, and they will inquire 'By what sophistry, by what appeal, by what force, by what maddening influence is it that we have been induced to enter into this terrible rebellion? Not to promote any interest of wife and children, but to destroy all the blessings vouchsafed to us and to them by a free government and equitable laws;' and they will further ask, 'Who has been the author of my misfortunes, and the ruin of my family, my all?' Sir, they will point to those who hold the power at Richmond; they will direct their vengeance against them; and Davis and his traitorous crew, as I have said upon a former occasion, will, like Actæon of old, be in the end destroyed by their own friends."

He concluded by saying:

"Let ours be the 'bright particular star' next to the star that led the shepherds to Bethlehem, which shall lead the downtrodden and oppressed of *all the world* into

an harbor of peace, security and happiness. And let us, kneeling around the altar, all thank God, that although we have had our trials, we have saved our country; that although we have been guilty of sins, we have wiped them out, and that we at length stand up a great and powerful people, honored by all the earth, 'redeemed, regenerated, and disenthralled by the genius of universal emancipation.'" [Loud applause on the floor and in the galleries, which was checked by the Speaker.]

The foregoing speech, made by a man who had been a large slaveholder, held the House and the crowded galleries in the most profound attention. Few more effective speeches have ever been made in the Halls of Congress.

Mr. Garfield of Ohio traced in a graphic manner the history of the slave power—its former arrogance, and its present prostration: *

"Who does not remember that thirty years ago, a short period in the life of a nation, but little could be said with impunity in these Halls on the subject of slavery? How well do gentlemen here remember the history of that distinguished predecessor of mine, Joshua R. Giddings, lately gone to his rest, who, with his forlorn hope of faithful men took his life in his hands, and in the name of justice protested against the great crime, and who stood bravely in his place until his white locks, like the plume of Henry of Navarre, marked where the battle of freedom raged fiercest. We can hardly realize that this is the same people, and these the same Halls, where now scarcely a man can be found who will venture to do more than falter out an apology for slavery, protesting at the same time that he has no love for the dying tyrant. None, I believe, but that man of more than supernal boldness from the city of New York, [Mr. FERNANDO WOOD] has ventured this session to raise his voice in favor of slavery for its own sake. He still sees in its features the reflection of divinity and beauty, and only he. 'How art thou fallen from heaven, O Lucifer, son of the morning! How art thou cut down to the ground, which didst weaken the nations!' Many mighty men have been slain by thee; many proud ones have humbled themselves at thy feet! All along the coast of the political sea they lie like stranded wrecks, broken on the headlands of freedom. How lately did its advocates with impious boldness maintain it as God's own, to be venerated and cherished as divine. It was another and higher form of civilization. It was the holy evangel of America, dispensing its blessings to the wilderness of the west. In its mad arrogance it lifted its hand to strike down the fabric of the Union, and since that fatal day it has been a 'fugitive and a vagabond upon the earth;' and like the spirit that Jesus cast out, it has since then been 'seeking rest and finding none.' It has sought in all the corners of the Republic to find some hiding place in which to shelter itself from the death it has so richly earned. It sought an asylum in the untrodden territories in the West, but, with a whip of scorpions, indignant freedom drove it hence. I do not believe a loyal man can now be found that would consent that it should again enter them. It has no hopes of harbor there. It found no protection or favor in the hearts or consciences of the freemen of the Republic, and has fled from its last hope of safety to the shield of the Constitution. We propose to follow it there and hurl it as Satan was exiled from heaven."

And now, after these long discussions, rose the still tall, and scarcely bent form of the venerable leader of the House, Thaddeus Stevens, to close the debate on this great

* Congressional Globe 2d session, 38th Congress. page 263.

measure. Instantly the members of the House gathered around him, filling the seats and aisles, and every available spot near the "old man eloquent." Intelligence was sent to the Senate that Thad. Stevens was speaking on the Constitutional Amendment, and directly many of the Senators came in, and Justices of the Supreme Court, to hear the venerable anti-slavery leader speak on the measure that was to consummate the labors of forty years with complete success. As soon as Senators and members could get their places, the House and crowded galleries were hushed into deepest silence. He said: *

"* * * * From my earliest youth I was taught to read the Declaration of Independence and to revere its sublime principles. As I advanced in life and became somewhat enabled to consult the writings of the great men of antiquity, I found in all their works which have survived the ravages of time, and come down to the present generation, one unanimous denunciation of tyranny and of Slavery, and eulogy of liberty. Homer, Æschylus the great Greek tragedian, Cicero, Hesiod, Virgil, Tacitus, and Sallust, in immortal language, all denounced slavery as a thing which took away half the man, and degraded human beings, and sang peans in the noblest strains to the goddess of liberty. And my hatred of this infernal institution and my love for liberty were further inflamed, as I saw the inspired teachings of Socrates and the divine inspirations of Jesus.

"Being fixed in these principles, immovably and immutably, I took my stand among my fellow-citizens, and on all occasions, whether in public or in private, in season, and, if there could be such a time, out of season, I never hesitated to express those ideas and sentiments, and when I went first into public assemblies, forty years ago, I uttered this language. I have done it amid the pelting and hooting of mobs, but I never quailed before the infernal spirit, and I hope I never shrank from the responsibility of my language.

* * * * * * * * * * * *

"When, fifteen years ago, I was honored with a seat in this body, it was dangerous to talk against this institution, a danger which gentlemen now here will never be able to appreciate. Some of us, however, have experienced it; my friend from Illinois on my right [Mr. WASHBURNE] has. And yet, sir, I did not hesitate, in the midst of bowie-knives and revolvers, and howling demons upon the other side of the House, to stand here and denounce this infamous institution in language which possibly now, on looking at it, I might deem intemperate, but which I then deemed necessary to rouse the public attention and cast odium upon the worst institution upon earth; one which is a disgrace to man and would be an annoyance to the infernal spirits.

* * * * * * * * * * * * *

"Perhaps I ought not to occupy so much time, and I will only say one word further. So far as the appeals of the learned gentleman [Mr. PENDLETON] are concerned, his pathetic winding up, I will be willing to take my chance when we all molder in the dust. He may have his epitaph written, if it be truly written, 'Here rests the ablest and most pertinacious defender of slavery and opponent of liberty;' and I will be satisfied if my epitaph shall be written thus: 'Here lies one who never rose to any eminence, and who only courted the low ambition to have it said that he had striven to ameliorate the condition of the poor, the lowly, the downtrodden of every race and language and color. [Applause.]

"I shall be content with such a eulogy on his lofty tomb, and such an inscription on my humble grave, to trust our memories to the judgment of other ages."

* Congressional Globe, 2d session, 38th Congress, page 265-6.

The spectacle presented during the delivery of the above speech was deeply impressive. The Diplomatic circle was crowded, the House was filled, the galleries were packed with distinguished citizens from every section, the floor and lobbies of the Hall itself were filled with distinguished soldiers and civilians who gathered to hear the debate, and who now listened to the Pennsylvania statesman, as he narrated the progress of the anti-slavery cause from its feeble beginning, down to its now near approaching and final triumph. As the vote was taken on the final passage of the Joint Resolution, the most intense anxiety was felt in regard to the result. No one knew with certainty what would be that result. Whether a sufficient number of Democratic votes could be obtained to secure its passage was uncertain. As the clerk called the roll, there was perfect silence; no sound except that made by a hundred pencils quickly marking the ayes and noes as the members responded. When the call was finished it was found there were 119 ayes, and 56 nays: two-thirds of the members having voted for the resolution it was adopted.*

*The following is a list of the ayes and noes, on the passage of the Resolution, taken from the Globe, Second Session, Thirty-eighth Congress, p. 531.

YEAS—Messrs. Alley, Allison, Ames, Anderson, Arnold, Ashley. Bailey, Augustus C. Baldwin, John D. Baldwin, Baxter, Beaman, Blane, Blair, Blow, Boutwell, Boyd, Brandegee, Broomal, William G. Brown, Ambrose W. Clark, Freeman Clarke, Cobb, Coffroth, Cole, Colfax, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, English, Farnsworth, Frank, Ganson, Garfield, Gooch, Grinnell, Griswold, Hale, Herrick, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Hutchins, Ingersoll, Jenckes, Julian, Kasson, Kelley, Francis W. Kellogg, Orlando Kellogg, King, Knox, Littlejohn, Loan, Longyear, Marvin, McAllister, McBride, McClung, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Nelson, Norton, Odell, Charles O'Neill, Orth, Patterson, Perham, Pike, Pomeroy, Price, Radford, William H. Randall, Alexander H. Rice, John H. Rice, Edward H. Rollins, James S. Rollins, Schenck, Scofield, Shannon, Sloan, Smith, Smithers, Spalding, Starr, John B. Steele, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Elihu B. Washburne, William B. Washburne, Webster, Whaley, Wheeler, Williams, Wilder, Wilson, Windom, Woodbridge, Worthington, and Yeaman—119.

NAYS—Messrs. James C. Allen, William J. Allen, Ancona, Bliss, Brooks, James S. Brown, Chanler, Clay, Cox, Cravens, Dawson, Denison, Eden, Edgerton, Eldridge, Finck, Grider, Hall, Harding, Harrington, Benjamin G. Harris, Charles M. Harris, Holman, Philip Johnson, William Johnson, Kalbfleisch, Kernan, Knapp, Law, Long, Mallory, William H. Miller, James R. Morris, Morrison, Noble, John O'Neill, Pendleton, Perry, Pruyn, Samuel J. Randall, Robinson, Ross, Scott, William G. Steele, Stiles, Strouse, Stuart, Sweat, Townsend, Wadsworth, Ward, Chilton A. White, Joseph W. White, Winfield, Benjamin Wood, and Fernando Wood—56.

NOT VOTING—Messrs. Lazear, Le Blond, Marcy, McDowell, McKinney, Middleton, Rogers, and Voorhees—8.

When the name of English, a democrat from Connecticut was called, and he answered *aye*, there was great applause in the House and galleries; so it was when Ganson, Herrick, Nelson, Odell, Radford, and Steele, democrats from New York, were called and they voted aye.

When the Speaker made the formal annunciation, "The Constitutional majority of two-thirds having voted in the affirmative, the joint resolution is passed," it was received with an uncontrollable outburst of enthusiasm. The Republican members, regardless of the rules, instantly sprang to their feet, and applauded with cheers; the example was followed by the spectators in the galleries, who waved their hats, and the ladies their handkerchiefs, and cheers and congratulations continued for many minutes. Finally Mr. Ingersall of Illinois, representing the district of Owen Lovejoy, in honor as he said of the sublime event, moved that the House adjourn. The motion was carried, but before the members left their seats the roar of artillery announced to the people of Washington, that the amendment had passed Congress. The personal friends of Mr. Lincoln, hastening to the White House, exchanged congratulations with him on the auspicious result. The passage of the resolution was not unexpected to him, and it filled his heart with joy. He saw in it the complete consummation of his own great work, the Emancipation Proclamation. As the leader in the overthrow of slavery, he had seen his proclamation sanctioned by an emphatic majority of the people at the Presidential election, and now the Constitutional majority of two-thirds in both Houses of Congress had voted to submit to the people the Constitutional amendment, which would finish the "*job*."

In the evening a vast crowd of enthusiastic and rejoicing friends, marched with music to the White House, publicly to congratulate the President on the passage of the resolution. Mr. Lincoln addressing the crowd said: "The occasion is one for congratulation to the country and the whole world." He informed them that Illinois had already ratified the amendment, and that it had already been ratified by one

branch of the Maryland Legislature; but he was proud that Illinois had been the State first to act.

The joint resolution was inadvertently presented to the President, and signed by him. But he suggested that the action of Congress was perfect of itself, and did not need the signature of the Executive to render it valid. Judge Trumbull presented a resolution, reciting that the amendment proposed by Congress respecting the extinction of slavery having been inadvertently presented to the President for his approval, it was declared that such approval was unnecessary to give effect to the action of Congress; was inconsistent with the former practice in reference to all amendments to the Constitution heretofore adopted, and being inadvertently done should not constitute a precedent for the future.*

Senator Trumbull in his speech on the subject reviewed all the precedents, and showed that no amendment of the Constitution ever adopted by the people had ever been presented to the President for his approval; and that the point having been made before the Supreme Court, that without such approval the amendment was invalid, the Supreme Court had held such approval unnecessary; the Chief Justice declaring the opinion of the court, saying: "The negative of the President applies only to the ordinary cases of legislation. He has nothing to do with the proposition or adoption of amendments to the Constitution." The Senate adopted the resolution of Senator Trumbull without a division.† The question may therefore be considered as settled by the precedents and the concurrence of all Departments of the Government.

The friends of universal liberty throughout the Republic, regarded the passage of the joint resolution through Congress as equivalent to the adoption of the amendment. The people having sanctioned it at the Presidential election, and two-thirds of both branches of Congress having voted for it, it was not doubted three-fourths of the States, through their Legislatures, would ratify it. The passage of the

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 629.
† Congressional Globe, Second Session Thirty-eighth Congress, p. 631.

resolution through Congress was therefore celebrated as the triumph of freedom, and the final "*overthrow of slavery*" throughout the Republic. The question was discussed whether the adoption of the amendment by three-fourths of the States represented in Congress, and who, while the other States were public enemies, constituted the United States, would be a compliance with the Constitution. It was decided by the House of Representatives that a Constitutional quorum of the House was a majority of the members duly elected to the House. It was contended that a majority of three-fourths of the United States, meant three-fourths of the States recognized as States of the Union; those whose Representatives and Senators constituted Congress and the law-making power. That States whose people were public enemies and who were in open war seeking to overthrow the Constitution, could not, while occupying such an attitude, be entitled to vote on an amendment to the Constitution, which they were seeking to destroy. As more than three-fourths of *all* the States ratified the amendment, the question never became a practical one.

When in June, 1858, at his home in Springfield, Abraham Lincoln startled the people by the announcement, "I believe this Nation cannot endure permanently, half slave and half free," and when in concluding that very remarkable speech, with the prophetic voice, the uplifted eye, the inspired mien of a seer, he exclaimed, "We shall not fail if we stand firm, *we shall not fail.* Wise counsels may accelerate, or mistakes delay, but sooner or later the victory is sure to come;" he looked to long years of political controversy; he expected a severe struggle and a final triumph through the use of all the agencies by which public opinion is influenced and formed; and he anticipated the final triumph through the ballot-box. By a mind which ever sought for truth, which followed it through all the processes of reasoning, with instinctive sagacity he foresaw the struggle, and the triumph of freedom. But he did not foresee, unless in those mysterious dim shadows which sometimes startle by half revealing the future, his own elevation to the Presidency; he

did not foresee that he should be chosen by God and the people to lead on to that victory which he then felt was sure to come; that *he* should speak the word which should emancipate a race, and free his country. Nor did he foresee that a martyr's death should crown a life which was so consecrated to duty, a life which was to be thenceforth so filled with unselfish, untiring devotion to country and to liberty, that his example will be everlasting, growing brighter with years; forever to inspire the patriot, and give courage to those who labor, and struggle, and die, for the poor, and the oppressed; until in all the world there shall be left no slave to be freed, no oppressor to be overthrown.

This great revolution, completed by the adoption of the Constitutional amendment has been sketched in these pages very imperfectly; how far the poor description has lagged behind the sublime action of the drama, none can better appreciate than the author.

The visible steps in legislation and governmental action, by which the Republic was led up to final and universal emancipation, have been outlined. Some of those steps, and the most important were: *First*, The army was prohibited from returning to rebel masters, fugitive slaves: *Second*, The employment of fugitive slaves as laborers in the army was sanctioned: *Third*, The passage of a law confiscating and conferring freedom upon slaves used for insurrectionary purposes: *Fourth*, The abolition of slavery at the National Capital: *Fifth*, The prohibition of slavery in all the territories: *Sixth*, A law giving freedom to all who should serve as soldiers in the army or in the navy: *Seventh*, A law emancipating the slaves of rebels: *Eighth*, And most important of all, the great Proclamation of Emancipation; emancipating the slaves in the rebellious States: *Ninth*, A law emancipating the families of all those who should serve in the army or navy of the United States: *Tenth*, The repeal of the fugitive slave code: *Eleventh*, The Constitutional amendment abolishing and prohibiting slavery throughout the Republic.

The responsibility, the honor of carrying these measures through, and sustaining them, justly belongs to the Republican party. This is the record on the slavery question to

which that party proudly turns. All of these measures were opposed by the Democratic party as a party. Individuals of that party voted for some of the measures, but such votes were few and scattering. On the passage of the bill to prohibit slavery in the territories, the Democrats in the House of Representatives gave fifty negative votes against eighty-five ayes given by the Republicans. Upon the bill to repeal the fugitive slave laws the vote in the House was ayes ninety, noes sixty-two; all the noes, with two or three exceptions from the border States, given by democrats. The bill to abolish slavery in the District of Columbia passed the Senate, ayes twenty-nine, noes fourteen; and it passed the House, ayes ninety-two, noes thirty-nine. The negative votes were given by democrats. The Constitutional amendment abolishing and prohibiting slavery passed the House, ayes (119) one hundred and nineteen, noes fifty-seven, (57,) the negatives all democrats. Such is the record.

In addition to the anti-slavery measures above enumerated, others relatively of minor importance have been adopted. The Statutes of the United States have been purged of all laws made to maintain and secure slavery. The law excluding negroes from the witness stand, and laws creating various disabilities have been annulled. The great civil rights bill, designed especially to secure equality before the law, although vetoed by President Johnson, has been passed over his veto, by the Fortieth Congress. Yet the great work is not entirely finished; some relics of the barbarous institution still linger in the Constitution and upon the statute book. These, with the prejudices which have grown up with the institution will rapidly disappear.

The formal adoption of the Constitutional amendment by the States, rapidly followed its passage through Congress. The resolution, as we have seen, passed Congress on the 31st day of January, A. D. 1865.

Illinois, as was fit, being the home of Lincoln, and under his inspiration, took the lead in ratifying the amendment. Not a day elapsed before it was ratified by both branches of the Legislature, and the result telegraphed to Mr. Lincoln. Then came Rhode Island, on the 2d of February, and on

the same day Michigan, and then regenerated Maryland on the 3d; keeping pace with her was New York and West Virginia. Then came on the 7th, Maine on the East, and Kansas on the West; and on the 8th, Massachusetts and Pennsylvania; and on the 9th, Old Virginia, through her few loyal legislators; then on the 10th, Ohio, and redeemed Missouri; on the 16th, young Nevada, and Indiana, and Louisiana, and then Minnesota, on the 8th and 23d. Then followed Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, Georgia, Oregon, California, Florida, New Jersey, and Iowa, in the order in which they are named. Thirty-two States in all, have filed with the Secretary of State official evidence of their ratification of the amendment. Kentucky, Delaware, Mississippi, and Texas have as yet, failed to ratify.

It must have been a proud moment, when William H. Seward as Secretary of State, on the 18th day of December, 1865, officially proclaimed the ratification of the amendment, and certified that the same "has become to all intents and purposes, valid, as a part of the Constitution of the United States."* Who could have anticipated when Mr. Seward, in

*The following correspondence gives in a semi-official form the dates of the ratification:

WASHINGTON, July 23, 1866.

Hon. W. H. SEWARD, *Secretary of State:*

My Dear Sir: * * * May I trouble you to furnish me the dates, at which the several States adopted the Constitutional amendment prohibiting slavery forever throughout the Republic, and a copy of your official certificate or proclamation, announcing such ratification by the requisite number of States. I cannot forbear congratulating you on the part you have taken in this great revolution. Few have had the felicity of living to witness such glorious results from their labors. How few could have anticipated when you began your anti-slavery labors, that you would live to officially proclaim that "*slavery is no more.*"

Very Respectfully Yours,
ISAAC N. ARNOLD.

DEPARTMENT OF STATE, WASHINGTON, August 22, 1866.

ISAAC N. ARNOLD, ESQ.:

Sir: Your letter of the 23d ultimo, asking to be furnished the dates at which the several States adopted the amendment to the Constitution prohibiting slavery, etc., was duly received; but owing to the exigencies of public business in this Department, it has not been convenient to answer it until now.

The dates of ratification by the several States, up to this time, are as follows: Illinois, February 1st, 1865; Rhode Island, February 2d, 1865: Michigan, February 2d, 1865; Maryland, February 1st and 3d, 1865; New York, February 2d and 3d, 1865: West Virginia, February 3d, 1865; Maine, February 7th, 1865; Kansas, February 7th, 1865; Massachusetts, February 8th, 1865; Pennsylvania, February 8th, 1865; Virginia, February 9th, 1865; Ohio, February 10th, 1865; Missouri, February 10th, 1865;

1849, entered the Senate of the United States as the anti-slavery leader, that he would live officially to proclaim *the overthrow of slavery* by Constitutional amendment throughout the Republic?

Nevada, February 16th, 1865; Indiana, February 16th, 1865; Louisiana, February 17th, 1865; Minnesota, February 8th and 23d, 1865; Wisconsin, March 1st, 1865; Vermont, March 9th, 1865; Tennessee, April, 5th and 7th, 1865; Arkansas, April 20th, 1865; Connecticut, May 5th, 1865; New Hampshire, July 1st, 1865; South Carolina, November 13th, 1865; Alabama, December 2d, 1865; North Carolina, December 4th, 1865; Georgia, December 9th, 1865; Oregon, December 11th, 1865; California, December 20th, 1865; Florida, December 28th, 1865; New Jersey, January 23d, 1866; Iowa, January 24th, 1866.

I transmit a copy of the certificate of ratification, agreeably to your request. Thanking you for the congratulations with which you conclude your letter,

I am, Your Obedient Servant,

WILLIAM H. SEWARD.

February 4th, 1865. The Delegates from certain Territories obtained permission to enter this paper upon the Journal of the House:

HOUSE OF REPRESENTATIVES, WASHINGTON, February 1, 1865.

Representing Territories which must soon become States, as Delegates deprived of the inestimable privilege of voting in this House, and feeling a deep interest in the proposition to amend the Federal Constitution, forever prohibiting slavery within the jurisdiction of the United States, demanded alike by the exigencies of the times, the voice of the loyal people, and by our efforts in the field to suppress a rebellion inaugurated and sustained for the purpose of perpetuating slavery, we cannot do less than state that the measure meets our unqualified approbation.

H. P. BENNET, *Colorado.*
J. F. KINNEY, *Utah.*
S. G. DAILY, *Nebraska.*
CHARLES D. POSTON, *Arizona.*
J. B. S. TODD, *Dacotah.*
W. H. WALLACE, *Idaho.*
FRANCISCO PEREA, *New Mexico.*

CHAPTER XXVI.

THE THIRTY-EIGHTH CONGRESS—TO ITS CLOSE.

THE FREEDMEN'S BUREAU BILL—REBELLIOUS STATES NOT TO VOTE IN THE ELECTORAL COLLEGE—RECONSTRUCTION—TREATMENT OF UNION PRISONERS—REBEL PRISONERS—ATTACK OF BROOKS UPON BUTLER—HIS VINDICATION BY BOUTWELL AND STEPHENS—CLOSE OF THE THIRTY-EIGHTH CONGRESS—VALEDICTORY OF SPEAKER COLFAX.

AT this, the second session of the Thirty-eighth Congress, was finally passed the act creating the Freedmen's Bureau. It encountered much opposition; its friends differed so widely in regard to its provisions, that its details were finally settled by a conference committee. Mr. Sumner, in the Senate, and Mr. Elliot, in the House, were its very zealous and earnest advocates. Mr. Sumner said, "Emancipation is not enough. You must see to it, that it is not evaded or nullified; and you must see to it especially that the new made freedmen are protected in those rights which are now assured to them, and that they are saved from the prevailing *caste* which menaces slavery under some new *alias*;" and this he declared was the object of the bill creating the Freedmen's Bureau. The freedmen now rejoicing in recovered rights, must for a while be, in the language of Mr. Lincoln, "the *wards* of the nation," and protected from the traditional harshness and cruelty to which for generations they have been exposed. "The Government must be to them a shield."

After several ineffectual attempts to agree upon a bill which should be satisfactory to both Houses of Congress, a committee of conference, consisting of Messrs. Wilson, Harlan and Willey, of the Senate, and Messrs. Schenck, Boutwell

and Rollins of the House, agreed upon a bill embracing, substantially, the following provisions:

It established in the War Department, to continue during the war, and for one year thereafter, "A Bureau of Refugees, Freedmen, and Abandoned Lands," to which was to be submitted the supervision of all abandoned lands, and the control of all subjects relating to refugees and freedmen, from rebel States, or any territory included within the operations of the army. The Bureau was to be under the control of a commissioner to be appointed by the President, with the consent of the Senate.

The Secretary of War was authorized to direct the issue of provisions, clothing, and fuel, as he might deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their families. The President was authorized to appoint, with the advice and consent of the Senate, one assistant commissioner for each of the States in insurrection, to aid in the execution of the provisions of the act. The commission was authorized to set apart, under the direction of the President, for the use of loyal refugees and freedmen, such tracts of land within the insurrectionary States as had been abandoned by rebel owners, or to which the United States had acquired title by confiscation, sale, or otherwise, not to exceed forty acres to every male refugee or freedman, with the privilege of purchasing the same.

This bill passed both Houses of Congress, and received the approval of the President. Mr. Lincoln selected to execute the law, as the head of the Freedmen's Bureau, Major General O. O. Howard, a man uniting the experience of one of the most brilliant soldiers of the war, great practical ability and good sense as an executive officer, with a christian life and character, and an earnest, sincere philanthropy, which commanded universal respect; no better appointment could have been made.

Congress, before the day for counting and declaring the electoral vote, passed a joint resolution, reciting "that the inhabitants and local authorities of the eleven seceding States, having rebelled against the United States, and having continued in a state of armed rebellion for more than three years,

and being in a state of armed rebellion on the 8th of November, 1864 (the day of the Presidential election,) therefore, 'resolved, that the States named were not entitled to representation in the electoral college for the choice of President and Vice President of the United States."' This joint resolution was presented to the President, and signed by him; but, on the 8th of February, he sent to Congress a message, stating that the resolution had been signed by the Executive, in deference to the views of Congress, implied in its passage and presentation to him. He added, however, this statement especially important as expressive of his views upon the subject of reconstruction: "The two Houses of Congress, convened under the twelfth article of the constitution, have *complete power* to exclude from counting all electoral votes deemed by them to be illegal, and it is not competent for the Executive to defeat or obstruct that power by a veto, as would be the case if his action were at all essential in the matter. He disclaimed all right of the Executive to interfere in any way, in the matter of canvassing or counting electoral votes, &c." *

On the 8th of February, 1865, both Houses of Congress convened in the Hall of the House of Representatives, the President of the Senate presiding, for the purpose of opening and counting the votes for President and Vice President. The whole number of votes given was two hundred and twenty-three, of which Abraham Lincoln received two hundred and twelve, and George B. McClellan received twenty-one, for the office of President; and Andrew Johnson and George H. Pendleton, respectively, received the same number for Vice President, and, thereupon, Abraham Lincoln and Andrew Johnson, having received the majority of the whole number of the electoral votes for President and Vice President, were declared duly elected.

The subject of reconstruction came again before Congress, in various forms, at this session. The "Bill to guarantee to certain States whose governments have been usurped or overthrown, a republican form of government," was again considered, January 16th, 1865.

* McPherson's History, p. 579.

Mr. Elliot moved a substitute for the bill, providing that the States declared to be in rebellion shall not be permitted to resume their political relations with the Government of the United States, until they shall have adopted a State constitution, forever prohibiting involuntary servitude, and guaranteeing to all persons freedom and equality of rights before the law.*

Mr. Wilson of Iowa, proposed to amend by providing that Senators and Representatives should not be received from the rebellious States, until by act, or joint resolution of Congress, approved by the President, or passed, notwithstanding his objections, such State shall have been first declared to have organized a just local government, republican in form.

Mr. Arnold of Illinois, offered an amendnent, which was accepted, abolishing and prohibiting slavery in all the territory in rebellion against the United States.†

Mr. Kelley of Pennsylvania, proposed to amend the bill by providing that all colored male citizens in the rebellious States, who could read the Constitution of the United States should be enrolled as voters. In support of this amendment he said:‡

"The organized war power of the rebellion is on the eve of overthrow. It belongs to us to govern the territory we have conquered, and the question of reconstruction presses itself upon our attention: and our legislation in this behalf will, though it comprises no specific provisions on the subject, determine whether guerrilla war shall harrass communities for long years, or be suppressed in a brief time by punishment administered through courts and law, to marauders for the crimes they may commit under the name of partisan warfare. At the close of an international war, the wronged but victorious party may justly make two claims; indemnity for the past, and security for the future; indemnity for the past in money or in territory; security for the future by new treaties, the establishment of new boundaries, or the cession of military power and the territory upon which it dwells. Indemnity for the past we cannot hope to obtain. When we shall have punished the conspirators who involved the country in this sanguinary war, and pardoned the dupes and victims who have arrayed themselves or been forced to do battle under their flag, we shall but have repossessed our ancient territory, reestablished the boundaries of our country, restored to our flag and Constitution their supremacy over territory which was ours but which the insurgents meant to dismember and possess. The other demand we may and must successfully make. Security for the future is accessible to us, and we must demand it; and to obtain it with amplest guaranties requires the adoption of no new idea, the making of no experiment, the entering upon no sea of political speculation. * * *

* Congressional Globe, 2d session, 38th Congress, page 281.
† Congressional Globe, 2d session, 38th Congress, page 284.
‡ Congressional Globe, 2d session, 38th Congress, page 281-288.

"Let us meet the question fairly. Do our institutions rest on complexional differences? Can we cement and perpetuate them by surrendering the patriots of the insurgent district, shorn of all political power, into the hands of the traitors whom we propose to propitiate by such a sacrifice of faith and honor? Did God ordain our country for a single race of men? Is there reason why the intelligent, wealthy, loyal man of color shall stand apart abased, on election day, while his ignorant, intemperate, vicious, and disloyal white neighbor participates in making laws for his government? What is the logic that denies to a son the right to vote with or against his father, because it has pleased Heaven that he should partake more largely of his mother's than of the father's complexion? And is it not known to all of us that well nigh forty per cent. of the colored people of the south are children of white fathers, who, after we subjugate them, will, with professions of loyalty only lip deep, enjoy the right of suffrage in the reconstructed States? Shall he, though black as ebony be his skin, who, by patient industry, obedience to the laws, and unvarying good habits, has accumulated property on which he cheerfully pays taxes, be denied the right of a voice in the government of a State to whose support and welfare he thus contributes; while the idle, reckless, thriftless man of fairer complexion shall vote away his earnings and trifle with his life or interests as a juror? Shall the brave man who has periled life, and mayhap lost limb, who has endured the dangers of the march, the camp, and the bivouac in defense of our Constitution and laws, be denied their protection, while the traitors in the conquest of whom he assisted, enjoy those rights, and use them as instruments for his oppression and degradation?"

He makes the following quotations from the testimony of Colonel Hanks:

"I knew a family of five who were freed by the voluntary enlistment of one of the boys. He entered the ranks for the avowed purpose of freeing his family. His name was Moore; he was owned by the Messrs. Leeds, iron founders; they resided within one of the parishes excepted in the Proclamation of Emancipation. He was the first man to fall at Pascagoula. Upon starting he said to his family, 'I know I shall fall, but you will be free.'

"A negro soldier demanded his children at my hands. I wanted to test his affection. I said 'they had a good home.' He said, 'Lieutenant, I want to send my children to school; my wife is not allowed to see them; I am in your service; I wear military clothes; I have been in three battles; I was in the assault at Port Hudson; I want my children; they are my flesh and blood.'

* * * * * * * * * * * * *

"The grave, long years hence, will close over those who to the last day of their life would, were it in their power, overthrow the Government or revenge their supposed wrongs upon those who aided in sustaining it. The truly loyal white men of the insurrectionary districts need the sympathy and political support of all the loyal people among whom they dwell, and unless we give it to them, we place them as abjectly at the feet of those who are now in arms against us, as we do the negro whom their oppressors so despise. I cannot conceive how the American Congress could write a page of history that would so disgrace it in the eyes of all posterity as by consenting to close this war by surrendering to the unbridled lust and power of the conquered traitors of the South those who, through blood, terror, and anguish, have been our friends, true to our principles and our welfare. To purchase peace by such heartless meanness and so gigantic a barter of principle, would be unparalleled in baseness in the history of mankind.

* * * * * * * * * * * * *

"We are to shape the future. We cannot escape the duty. And 'conciliation, compromise, and concession,' are not the methods we are to use. These alas! have been abundantly tried, and their result has been agitation, strife, war, and desolation. No man has the right to compromise justice; it is immutable; and He whose law it is never fails to avenge its compromise or violation. Ours is not the work of construction, it is that of reconstruction; not that of creation, but of regeneration; and, as I have shown, the principle of the life we are to shape glares on us,

lighting our pathway, from every page of history written by our Revolutionary Fathers. Would we see the issue of 'compromise, concession, and conciliation? Sir, we behold it in the blazing home, the charred roof-tree, the desolate hearthside, the surging tide of fratricidal war, and the green mounds beneath which sleep half a million of the bravest and best loved of our men."

Winter Davis made the following prediction of the results which would follow a failure to pass the bill:*

"If this bill do not become a law, when Congress again meets, at our doors, clamorous and dictatorial, will be sixty-five Representatives from the States now in rebellion, and twenty-two Senators *claiming* admission, and, upon the theory of the honorable gentleman, *entitled* to admission beyond the power of argument to resist it; for peace will have been restored, there will be no armed power but that of the United States; there will be quiet, and votes will be polled under the existing laws of the State, in the gentleman's view. Are you ready to accept that consequence? For if they come to the door of the House they will cross the threshold of the House, and any gentleman who does not know that, or who is so weak or so wild as to suppose that any declaratory resolution adopted by both Houses as a condition precedent can stop that flood, had better put his puny hands across the flood of the flowing Mississippi and say that it shall not enter the Gulf of Mexico."

Mr. Dawes of Massachusetts, said:†

"My only purpose is to impress upon this House the very conclusion which finds sanction in the last section of this bill, namely, that no form can be prescribed, no law laid down here, no unbending iron rule fixed by the central Government, for the governing of that people, or prescribing the method in which they shall make their organic law. Each of them shall work out that problem for itself and in its own way. That form and system which is best adapted to Louisiana and Arkansas is quite different from that which is ultimately to be adopted in South Carolina and Georgia. These are a people unlike in their habits and pursuits, in their notions, in their loyalty or disloyalty, whichever it may be. In each one of these States the condition of things and feelings is unique, and finds no counterpart in any other. In the States more particularly under consideration, the people are struggling to rise from chaos into the form of Republican organic law. The others to which I have alluded are still wandering in the wilderness of treason and rebellion, and rolling as a sweet morsel under their tongue the sin which has brought all this calamity upon us."

The bill was finally laid upon the table by ayes 80, noes 65.‡

The question of the admission of Senators and members from Louisiana, Arkansas, and Virginia, was much discussed in both Houses of Congress at this session, but no final vote was taken.

The public mind had been painfully impressed with the statements of the barbarities inflicted upon Union prisoners by the Confederate authorities. The exchange of prisoners

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 969.
† Congressional Globe, Second Session, Thirty-eighth Congress, p. 937.
‡ Congressional Globe, Second Session, Thirty-eighth Congress, page 1002.

had been interrupted, really and mainly because the rebel authorities refused to exchange colored Union soldiers, and refused to treat them as prisoners of war. The story of the treatment of Union prisoners at Libby prison and Belle Isle, at Richmond, at Andersonville, Selma, and other places, and the massacre at Fort Pillow, filled the whole land with horror. The Committee on the conduct of the war, were directed by Congress to investigate, and their report confirmed the conviction that the most unparalleled cruelties had been inflicted upon the Union prisoners. It was established that at Andersonville, in 1864, there were 35,000 Union prisoners confined in a field of some thirty acres, and that 30,000 of them were without shelter, or even shade; crowded together, sleeping upon the ground without blankets, and many of them partially naked. Their rations scarcely adequate to sustain life, and of a quality that approaching starvation, alone, could induce men to eat. Added to inadequacy and unwholesomeness of food, resulting in a condition nearly approaching starvation, want of shelter, and clothing, and the crowding of vast numbers into a small space, was the most brutal and inhuman treatment by the guard; often shooting down unarmed men apparently for amusement.* In the Senate, on the 16th of January, 1865, Senator Wade offered a resolution, that all Confederate prisoners, both officers and men, should receive the same rations, the same clothing, and be subject to the same treatment in every respect, as Federal prisoners of war in the power of the rebels.

Senator Lane, of Indiana, urging the adoption of the resolution, stated that there were about 45,000 Union prisoners in rebel prisons, and that the Government held about double that number of rebel prisoners. He stated in substance that most of these 45,000 had been reduced by starvation to utter helplessness. Those of them who escape the slow torture of death by starvation, return emaciated and feeble, and unfit for service. *We*, as Christians, feed, clothe, and provide for the rebel prisoners in our hands. Those we return to them,

* See testimony on the trial of Wertz. Report of the Committee on conduct of the war. See appeal to the President by officers confined at Charleston, dated August 1864; also Report of Sanitary Commission.

we send in a condition of greater efficiency than when captured. "They are fed and fattened upon Government rations. We receive in return skeletons, shocking to humanity." "It is time," said he, "we resorted to a system of strict retaliation, marked by justice in every feature."

Senator Wade said:*

"Sir, I have no doubt on investigation of this subject, that it is a deliberate purpose of theirs to destroy every prisoner that comes into their hands. They do not intend that he shall be returned to us in such a condition that he can ever again take the field. Their inhuman treatment is probably owing more to this consideration than to mere feelings of malice. It is a system of savage policy, and it has had a most powerful effect on our army. Of the thousands of prisoners we have had in their hands, scarcely one of them is ever returned to us in such a condition that he can take the field again; while on the other side the prisoners that come into our possession are treated precisely the same as our own soldiers are, and they go back refreshed, recuperated, and ready to take the field against us, every man of them. I have no doubt that a prompt and stern resort to this measure of retaliation will have as beneficial an effect as the measure to which I have referred had in the case to which it was applied."

In regard to the exchange of prisoners, Senator Harlan said:†

"I would rejoice to see every prisoner of ours held by the rebels released at once, but when I know that the release of a Union prisoner by the rebels requires the release of a rebel prisoner by our Government, and that he will be at once thrown into strongly fortified works, and that you will be compelled to recruit three other soldiers to unite with our returning prisoner to make the combat equal; that four lives are to be put in jeopardy to recapture the rebel whom we have released, I cannot criticise the Secretary of War if he should refuse to exchange prisoners from this time forward until the close of the war, even if a fair exchange could be secured; but I apprehend there are very few Senators here who believe that a fair exchange can be effected. They so analyze all prisoners that they hold of ours, as to release those whose terms of service have expired or are about to expire. Their soldiers are mustered in practically during the war. Every southern citizen able to bear arms is enrolled as a soldier during the continuance of the war. Then when we release a rebel prisoner we put him into their army during the continuance of the war, while in nine cases out of ten, probably, the soldier received by us in return will be at once well fed and mustered out of service. In addition to this, we know from the facts that have been developed by the Committee on the Conduct of the War, that they do not return to us ablebodied men, but only exchange the sick and dilapidated for those that are ablebodied and vigorous."

Senator Sumner said:‡

"The resolution of the committee sets forth what we all too painfully know, that our prisoners—I quote now from the words of the resolution—have been subjected to treatment unexampled for cruelty in the history of civilized war, and finding its parallels only in the conduct of savage tribes; a treatment resulting in the death of multitudes by the slow but designed process of starvation, and by

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 364.
† Congressional Globe, Second Session, Thirty-eighth Congress, p. 365.
‡ Congressional Globe, Second Session, Thirty-eighth Congress, p. 381.

mortal diseases occasioned by insufficient and unhealthy food, by wanton exposure of their persons to the inclemency of the weather, and by deliberate assassination of innocent and unoffending men; and the murder in cold blood, of prisoners after surrender."

Sumner went on to say, "that the rule of retaliation could not be acted upon by our Government. We could enter into no such competition in barbarity." "We cannot," says he, "be cruel or barbarous, or savage, because the rebels, whom we are now meeting in warfare, are cruel, barbarous and savage." He quotes Dr. Leiber, as saying: "If we fight with Indians, who slowly roast their prisoners, we cannot slowly roast in turn the Indians whom we may capture." The northern people will not treat captured Southerners as our sons are treated by them. God be thanked, you could not do it, and if you could, how it would brutalize our people."*

Mr. Lincoln, when these reports of barbarities came to him, and were authenticated, was deeply moved; but when urged to retaliate *in kind*, he said, "*I never can, I can never starve men* like that."

Why is it that Mr. Lincoln, and the northern people, never could carry on retaliation *in kind?* Why is it that the rebel authorities could be guilty of cruelties, paralleled alone by the Spanish treatment of the Indians, and by the Inquisition? Will not the calm, just historian of the future truthfully say, this barbarity was the result of the brutalizing influence of slavery?

Senator Cowan said, "I think it would be impossible to procure in the American army an officer, or a soldier either, who would stand by and see a man starve; I do not believe it possible. A file of our soldiers might shoot a man in retaliation, but our soldiers would not inflict a slow and terrible torture."

Senator Howard read from the report of the Committee of Investigation,† to show that the barbarities were resorted to "for the inhuman purpose of destroying the lives of our men by the slow process of starvation. After producing some of the evidence on the subject, he said: ‡

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 382.
† Congressional Globe, Second Session, Thirty-eighth Congress, p. 386-7.
‡ Congressional Globe, Second Session, Thirty-eighth Congress, p. 188.

"Sir, the barbarities committed upon our men at Andersonville are absolutely indescribable. Human language is impotent to bring home to the heart and the soul of a man the horrors of those scenes. Artists have been compelled to resort to something more expressive than human language, and painting and engraving have been called in to aid in conveying to the mind the full idea of the brutalities practiced by the rebel authorities upon our soldiers. Out of those thirty-five thousand, I presume not more than one-half, if as many, still survive to tell the tale of their sufferings; and the testimony is as clear as the noon day sun that these barbarities were deliberately practiced upon our men for the double purpose of crippling and reducing our armed force and of striking terror into the Northern population in order to prevent enlistments. There does not remain ground for a doubt that the Rebel Government designedly resorted to the slow process of torture and death by starvation, and to freezing and starving united, operating minute by minute, hour by hour, day by day, week by week, and month by month, until the man became a living skeleton and an idiot, no longer able to recognize his wife, his children, or his friends; no longer of any value either to himself or his country; and this for the purpose of weakening our military arm and deterring our people from prosecuting the war.

"Sir, I ask any man of humanity, any man who feels a respect for his country, does it not become us to punish these barbarities, and to punish them in the only way that is left us? which is, the original and actual offenders having made their escape or not being in our power, to seize upon their countrymen, prisoners in our hands, and subject them to the same severities practiced against us. I know, sir, that the heart of a generous man naturally revolts at the practice of retaliation. I am not a stranger, I trust, to the ordinary feelings of humanity: but when the voice of my own countrymen cries to me from the dungeons of Libby, and from the putrid pools of Andersonville and implores me to interpose whatever power I may possess to deter the rebels from the infliction of such cruelties on them, I cannot, and, so help me God, I will not shut my ears to their cries. * * * * * * *

"Sir, the history of the world, certainly the history of the civilized world, presents no parallel to the brutalities committed by the rebels. Read the story of Dartmoor prison, you find nothing to be compared with them. Read the story of the Black Hole of Calcutta, you find nothing there. Read the story of the ancient British hulks, in which twenty thousand French prisoners were kept in close confinement for three or four years off the coast of England, in spaces not more than four and a half feet high between decks, and you will find nothing there to be compared with these cruelties. In the whole history of modern civilized war, these crimes stand out in hideous prominence.

The cautious and careful Senator Foster, of Connecticut, said, that he "was astonished that any intelligent man should express a doubt whether our prisoners in the hands of rebels, from the first day of the war, had been treated barbarously, inhumanly, and that this treatment continues to the present time." He said, "who are our opponents? They are a band of insurgents, robbers, traitors, malefactors on land, and pirates on the deep; and because such men descend to what would disgrace savages in the treatment of prisoners, not disgracing any National name, for they have no National name to disgrace, shall we, who are citizens of the United States of America, each man feeling that he has a part of the National honor to sustain, do that which disgraces them? No, Mr. President, no, no." *

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 411-12.

Senator Hendricks, of Indiana, who opposed the resolution, said, "I do not doubt now that there have been cruelties not justified by the usages of Christian warfare, inflicted upon our prisoners in the South." *

Senator Reverdy Johnson, opposing the resolution, said: "What I want, therefore, is such a system of exchange as may put an end to these cruelties in the future, leaving the past where it is; leaving the Rebel Government, if they have resorted to the enormities stated in this resolution, *as I have no doubt they have*, to the judgment of the civilized world, which will pronounce a judgment of infamy to all concerned in them." †

Senator Wade, in speaking of the influence of slavery upon the people, said: ‡

"I know something about these Southern people. Habituated to slavery, with their hearts entirely hardened to the misfortunes and hardships of man in the person of the poor slave, they have forgotten that he is human and that they owe him any respect; and this hardening process did not stop with the slave, but the poor white man in the South is treated even at a greater distance and regarded as occupying a lower position of degradation than the negro. They do not care anything about the private soldiers. They would as lief we starved their private soldiers to death as not, unless they wanted them returned to fill up their armies. They place them side by side with the negro whose fate they care nothing for. It is not the poor private soldier that I want to see subjected to these punishments, because he is not responsible for this treatment, and because these accursed, hardened aristocrats look with as much composure on his fate as some here look on the fate of our soldiers in their barbarous hands. They care nothing for him; they have lost all feelings of humanity for those whom they consider the mere plebeian trash, whether black or white. But when you touch the chivalry, of whom their officers are composed, when you subject them to ignominious labor in the trenches, or put them on the same treatment which they deal out to our soldiers, my word for it their hearts will be reached and a remedy will soon be attained. * * * *

"Is there nothing that will degrade a man? May he not steep himself in crime so deep that it is damnation and contamination to communicate with him? If so, is not Jeff. Davis that man? Before Almighty God, if war has brought suffering, dishonor, and death upon our people, Davis and his associates are responsible for it; and if a common murderer ought to die once for the crime of murder, Jeff. Davis' death ought to be multipled a hundred thousand fold. Not only that, but think of the meanness that attaches to his crime. I was here when Jeff. Davis and company walked up to your desk, sir, and raised their hands to God, and swore to maintain the Constitution of the United States, and I was here when that oath was forgotten and they raised their accursed arm against this Republic, and, with all the power that they had acquired from it, turned about to destroy that very Constitution which they had before sworn to maintain. Is perjury no disgrace? And does not an honest, just man lose confidence in his fellow-man when he finds him steeped in perjury? * * * Sir, his touch was contamination, and communication with him was dishonor. He had perjured his soul before God, and his arm was attainted and reeking with the blood of the bravest and best of the population of the United States."

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 412.
† Congressional Globe, Second Session, Thirty-eighth Congress, p. 454.
‡ Congressional Globe, Second Session Thirty-eighth Congress, p. 495.

Senator Chandler, of Michigan, said: *

"I saw the other day a Captain who has just returned from a seventeen months' imprisonment in a Southern prison, a gentleman from Michigan, and he told me that he was informed by the Superintendent of their prison that it was their policy, their fixed policy, that no prisoner who remained three months in a rebel prison should ever be fit to enter the United States army after his exchange and return home. If this was the barbarism of a single individual who happened to have a number of our prisoners in his charge, perhaps it would not be proper for us to adopt retaliation as a policy; but it has been proved over and over again that this is the policy of the rebels in the conduct of the war, their settled policy, their policy everywhere in every State, with every prisoner."

Senator Sprague, of Rhode Island, said: †

"Early in the history of this war it was my privilege to have intimate and near friends connected with the army. It was my good fortune to be with them upon the battle-field. I saw many of them wounded, others struck down. The patriotic people of my State demanded of me that their remains should be returned to the State; that the ground of that State should be hallowed by their bones and remains; that their history should be a part of the State. In obedience to that demand I traveled with a proper escort to endeavor to secure their bodies; and what did I find? I found that the friends whom I had left wounded upon the battle-field had been murdered after we had left. I found the dead that we were obliged to leave upon the battle-field with their faces downward as a mark of indignity. I found the heads of the bravest and best of my companions severed from their bodies to be used as drinking cups by Southern rebels. Of the remains of some of the best, most intelligent, and bravest officers that ever served any cause, I found but the portion left from a bonfire. * * * This treatment has been practiced by the rebels upon Union soldiers to bring about the very result that has been brought about, and that is, an exchange of prisoners."

Senator Saulsbury, of Delaware, suggested that the best measure for the relief of the suffering Federal prisoners was "peace." To induce peace, by the recognition of the Confederacy, was doubtless one of the motives inducing the rebel authorities to perpetrate these cruelties. He said: ‡

"It is peace, sir, that this country wants. Give us peace, and no Federal soldiers will ever again rot in Confederate bastiles or prisons, or starve in Confederate pens. Give us peace, and the mother whose aching heart and streaming eyes you now witness will bless you for your deed. Give us peace, and instead of these acts of barbarism of which we hear, your land shall again bloom and blossom as the rose, Sir, in the place of retaliatory measures, in the stead of resorting to acts of cruelty to meet acts of cruelty, and to prevent them in the future, I propose that your commissioners meet, and I invoke you, if this be the honest aim of the President of the United States, lend him your willing and cordial aid; and then, sir, you will have no need for retaliation; then, sir, your soldiers no longer will be starved or murdered or ill treated, but they shall return to their homes long left, to cheer their families, to rejoice again that peace blesses the land, and that their country does not require any further sacrifice of life or blood upon their part."

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 498.
† Congressional Globe, Second Session, Thirty-eighth Congress, p. 516.
‡ Congressional Globe, Second Session, Thirty-eighth Congress, p. 520.

The resolution was amended so as not to require retaliation in *kind*, but the Executive and military authorities * were directed to retaliate upon the prisoners of the enemy in such manner, according to the laws and usages of war, as should deter him from the perpetration in future of cruel and barbarous treatment of our soldiers. No act of retaliation, under this resolution, was ever inflicted upon any rebel prisoner. I have quoted from these debates on the subject of the treatment of prisoners of war, for the purpose of showing that in the highest deliberative body of the country the truth of the charges of barbarity and cruelty made against the rebel authorities, was not disputed, except as to the extent of those cruelties; and, also, to show by the evidence produced in such debates, what sort of enemies slaveholders are, and by what agencies they carried on the war to maintain slavery; and, also, for the purpose, by placing on record the truth, to make slaveholding odious.

It was after the facts in regard to the barbarities practiced upon Union prisoners had been established, and proclaimed throughout the civilized world, that for the purpose of endeavoring to neutralize, or lessen the odium growing out of such a system, that rebel agents and sympathizers in England raised a fund for the purpose, as alleged, of relieving the wants of rebel prisoners in the hands of the Government. These prisoners were notoriously better clothed, and fed, and cared for, than while soldiers in the rebel service.

Lord Wharncliffe had been induced to become the agent of the parties raising this fund, and he asked, through Mr. Adams, representing the United States in Great Britain, that permission be granted to an agent to visit the military prisons within the Northern States, and minister to the comfort of the Confederate prisoners. Mr. Adams communicated this request to Mr. Seward, who instructed Mr. Adams to inform Lord Wharncliffe that the application was disallowed. The Secretary said in his reply "that the United States had ample means for the support of prisoners, as well as for every other contingency of the war," and that the insurgents were suffering no privations that appeal for relief

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 521.

to charity, either at home or abroad. In reply to a letter of Lord Wharncliffe, published in the London *Times*, in which he charged that Confederate prisoners in the hands of the Government were suffering unusual privations, Goldwin Smith, who had lately returned from a visit to the United States, during which he had visited the camp where rebel prisoners were detained, published a letter, in which he bears testimony that the rebel prisoners were treated with the utmost liberality and kindness. He expressed his belief that the sentiment of the people at the North was strongly as possible in favor of a humane and generous treatment of prisoners, both as a matter of duty and as an instrument of ultimate reconciliation, and this, notwithstanding they have "the proof before their eyes that their own soldiers are treated with the greatest barbarity in Southern prisons."

One of the most exciting debates of this session arose out of a charge made by Mr. Brooks, of New York, against General B. F. Butler, of Massachusetts, charging him, while in command at New Orleans, with being a "*gold robber.*" General Butler addressed a note of inquiry to Mr. Brooks, which the latter brought to the attention of the House as a question of privilege, upon the ground that it was a challenge, or a note preliminary to a challenge. Mr. Boutwell raised the point of order, that the letter was no breach of privilege, and the Speaker sustained the point of order, from which decision Mr. Brooks appealed.* He said: "With no desire to enter into an epistolary correspondence with General Butler, whose literary talents I well estimate, and which, if not altogether Chesterfieldian, have nevertheless the vigor and nerve of Junius." "I choose to answer him here, where I made the remarks of which he is supposed to complain."

Mr. Ingersoll, of Illinois, desired that Mr. Brooks would explain to the House what reasons he had for calling General Butler a "*gold robber.*"

Brooks replied: "That is what I want to do, but I cannot do it in discussing a question of order." Mr. Ingersoll, thereupon, moved to suspend the rules so as to allow Mr.

*Congressional Globe, Second Session, Thirty-eighth Congress, p. 376.

Brooks to proceed. The motion was agreed to, and Mr. Brooks proceeded, reiterating the charge.

The House adjourned, Mr. Stevens holding the floor. The next morning he yielded to Mr. Boutwell, who was the immediate representative in Congress of General Butler.

After some preliminary remarks, Mr. Boutwell said: *

"Now, Mr. Speaker, I come to the testimony in reference to the $50,000 transaction in New Orleans. I ask the attention of the gentleman from New York to one point, because, when I have presented the evidence, I shall put to him a question on my own responsibility as a member of this House, as a Representative of a district, as a citizen of this country, interested somewhat in the reputation of a man who is already historical, and who, since the administration of Hastings in India, has had a larger command and greater interests of the country placed in his hands than almost any other person, and I shall expect a definite and distinct answer to that question; and therefore I put him on his guard at this early moment. The question I shall put to him is, (asking the Clerk first to read the extract from the gentleman's speech which was contained in General Butler's letter,) whether he reaffirms the statement which he made or whether he retracts it? And according to the course which he takes shall be mine as to some observations which I will then submit."

He then read evidence, showing that Smith, the claimant of the $50,000 in gold allowed to have been robbed of him by General Butler, was an enemy of his country, and the firm of which he was a member were agents for the Confederate loan. He then read the order of General Butler, creating a military commission, consisting of General Shepley, W. N. Mercer, and Thomas J. Durant, to inquire whether the specie in question was the property of the Confederate States, or had been used in any way to aid the Confederate States. He then read the evidence taken before such commission, on both sides, and after argument of counsel. The commission decided that, "With regard to the $50,000, the commission think there is ground for detention until the proper department at Washington can be heard from." This award was made June 17th, 1862, and on the 2d of July thereafter General Butler reports the facts to the Secretary of the Treasury. †

He read other correspondence with the Secretary of War, and the counsel of Smith, and then added:

"In the first place, there is no element of the crime of robbery in this transaction from the beginning to the end. The seizure was made by a public officer, a military commander, in pursuance of what he believed then to be his duty, and

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 394.
† Congressional Globe, Second Session, Thirty-eighth Congress, p. 395.

what I believe a jury of his countrymen any where, on the evidence, would find to have been his duty under the circumstances in which he was placed. He submitted the whole question of the right of property, as far as it could be submitted, to a military commission, and he followed the decree, or award made by that commission, and within fifteen days reported the facts to the Government, and from that day to this he has always been ready and responsible. He has again and again solicited the Department to take the money and assume the responsibility—either to take it as belonging to the Government, or pay it over to Samuel Smith & Co., and relieve him."

Mr. Boutwell then, after reading the charge made by Mr. Brooks, demanded whether he reaffirms the charge, or retracts it? and closed by stating, "I yield the floor for a reply."

Mr. Brooks said: "When the gentleman concludes I shall be happy to make reply. The introduction of his remarks shows that he is not entitled to courtesy."

"Mr. BOUTWELL. I understand, then, that the gentleman is neither prepared at this moment to reaffirm the statement made in that speech, nor to retract it. On this evidence, conclusive as to the falsity of the charge, the gentleman from New York stands silent, and will neither reaffirm the declaration that he has made to this House and to the country, that Major General Butler of the army is a gold robber, nor will he, upon this evidence, retract it. Has it made no impression upon him? Does he not comprehend it? Does he yet persist in allowing that declaration made in his speech to stand upon the record? If he has a name to live, does not the dread of posterity inspire him to do justice to a servant of the country? Is he still silent? Has he no voice to reaffirm what he has declared, or is he yet destitute, shall I say of manliness, to admit that he was mistaken?"

Mr. Brooks, in reply, among other things, said: *

"No man, Mr. Speaker, did more, or, I might say, as much, to excite and arouse the feelings of this country, and to bring about that hostility which led to the clash of arms as Major General Butler. Belonging to the Democratic party, and the most ultra of that party, he was ever first and foremost in stimulating and encouraging that hostility and invective which would lead to excitement and to war; and whenever the Democratic party was disposed to compromise or make concessions in any way which would lead to pacification, he was the last of all to yield, and the first and foremost to bring about that collision of opinion which would lead to this clash of arms. And yet I, who am of the school of Clay, and of Massachusetts' own Webster, trained in obedience to the Constitution and laws, never even responsible for any of the errors of the Democratic party, hardly connected with that party except so far as it chose to honor me here with its sympathy and its votes, elected here upon the floor of this House in opposition to the machinery of that party; I am denounced by the Representative of this General Butler as a man more disposed to welcome a rebel uniform of gray than the blue uniform of a soldier of the United States!

"Sir, in the Charleston Convention, which led to the rupture of the Democratic party and the election of Lincoln, if Butler himself had been the paid agent of Jeff. Davis and of the conspirators to destroy this Union, he could not have acted a more efficient or a more fatal part in sundering and dividing that party and bringing about this collision than he did as a delegate from Massachusetts to that convention. I never voted in my life for Jefferson Davis, while Major General Butler

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 397.

voted fifty-seven times in the Charleston Convention for this same Jefferson Davis, to make him President of the United States. Compare my record, then, with his. Compare my past with his. A sagacious man, like General Butler, a man of talent and power and capacity, must have known very well, while he was thus acting in the Charleston Convention, where all that action would lead; that it would lead to a disruption of the party of the Democracy, and in that disruption to a triumph of the Republican party. * * * * * * *

"The honorable gentleman from Massachusetts was pleased to say that since the record of Hastings in India no man had had so wide and so extensive a command as Major General Butler. The honorable gentleman from Massachusetts will permit me to say that I think that was a most unfortunate allusion. The history of Hastings in India is in a good degree the history of Major General Butler at New Orleans and throughout all those regions on the Mississippi. I will not recall that history; but I will recall the fact that years afterward the proudest and the loftiest spirits in the British Parliament, from Burke onward, arraigned Hastings for his conduct in India as I have arraigned Butler here; and as others hereafter will arraign him on the floor of this House, for his conduct in New Orleans and elsewhere. And, sir, the history of Butler will, I venture to predict, be the fate of Hastings; supported by a ministry, though but feebly and partially supported, yet recorded in history as a plunderer and a robber, and bequeathing to posterity a name immortal for that plunder and robbery alone."

Mr. Stevens in conclusion, among other things, said: *

"The evidence has done great justice and great favor to Major General Butler, for, sir, there is not a candid man, there is not an honest man in this House who will dare to say that that evidence is not a complete and perfect vindication of Major General Butler from all the charges made against him by the gentleman from New York; it not only vindicates him, but shows him to have, in all his acts and in all his correspondence, acted, not only like an honest man and faithful officer, but like a gentleman and a well educated man. The whole of the correspondence would do credit not only to his heart but to his great ability and his scholarship and his professional learning. And I will say here that, so far as professional learning goes, I was long ago struck with his correspondence with the gentleman who was sent down there by the Government, Mr. Reverdy Johnson. General Butler showed more ability, more knowledge of the law of nations, and was more correct in his positions than that gentleman; and if General Butler's doctrine had prevailed, $800,000 in gold, which was seized by him, would have been kept from supplying the rebel armies, to which it was applied, when turned over, under the advice of the eminent counsel to whom I refer."

Of the great public services rendered by Butler, he said:

"The gentleman says that General Butler has done no service to his country. Service to his country! If it is true that he helped to kill the Democratic party, he did a great deal of service to the country. [Laughter.] I do not know that fact. That took place before secession, and is, therefore, a little further back than I choose to go. But if he was wrong then, the gentleman from New York has been going wrong ever since and getting worse all the time, while General Butler has been getting better and better, and is now an excellent man. I wish to God they would all reform in the same way. [Laughter.] Did he not come on in the midst of peril and seize Baltimore, which others had failed to do? Did he not go to New Orleans and seize it, and administer its affairs better, and to the greater satisfaction of every loyal man, than has been done since, although I do not draw comparisons? Talk about that being a parallel with the administration of Warren Hastings! All that I have to say is this: Warren Hastings was made immortal by the talents of the counsel who prosecuted him. He was acquitted, as the public

* Congressional Globe, Second Session, Thirty-eighth Congress, p. 400.

will acquit General Butler. The only difference is that there has been no pure and upright and manly eloquence in this prosecution, to immortalize General Butler, as in the case of Warren Hastings."

He thus speaks of John Brown:

"He also talks about John Brown. The gentleman well knows that that class of people to whom he referred were very few in the United States. None of the Republican party belonged to that class. But, sir, I will state the difference between John Brown and the gentleman from New York. While I have not a word to say in extenuation of the conduct of John Brown, nor anything to say against his sentence, yet, sir, there are times in the history of men when there are such great evils that the motives of some men who attempt, although in an irregular manner, to eradicate those evils, will overshadow all the irregularities in the eye of posterity, although we here at the moment cannot forget or forgive them. There are times, sir, when posterity will look beyond the immediate step to see where a man proposed to land, what were his intentions and his motives, and they will judge according to the ulterior design. Now, sir, the motive of John Brown—honest, upright, but mistaken in his means—no man who loves freedom can help applauding, although none of us would justify the means. But upon the principle which I have mentioned, when the gentleman from New York and myself will be moldering in the dust and forgotten, or only unpleasantly remembered, the memory of John Brown, I will venture to predict, will grow brighter and brighter through coming ages; and the State of Virginia itself, by its own freemen and its own freedmen, will, within the lives of some now present, raise a monument to his memory upon the very place where his gallows stood."

Nothing could be more complete and conclusive than this vindication of General Butler, so far as regards the transaction in question. The charge has never since been repeated.

The Thirty-eighth Congress drew towards its close. It had done its duty. Differing with the Executive on points of administration, as many of its members did, yet it had faithfully sustained him in carrying on the war. It had placed in his hands, with perfect confidence, the vast resources of the country. It had voted increased taxes to maintain the National credit. It had amended the Enrollment Law to give it more efficiency. It had obliterated forever from the National Statute Book the barbarous slave code. More than all, and above all, it had passed the constitutional amendment, prohibiting and abolishing slavery forever. The records of this Congress, and those of the Thirty-seventh, are full of the wisest statesmanship and eloquent expressions of the noblest sentiments of patriotism and humanity. These records will long be consulted, for the story of the forensic conflict between liberty and slavery. That conflict is there recorded in the speeches, votes, and legislation, during this, the most eventful period of American history. He who in the future would fully comprehend

that history, must study it in these eloquent discussions. The Thirty-eighth Congress ended, and passed into history, with the following valedictory of Schuyler Colfax, Speaker of the House :*

"Gentlemen of the House of Representatives, the parting hour has come; and yonder clock, which 'takes no note of time but from its loss,' will soon announce that the Congress of which we are members has passed into history. Honored by your votes with this responsible position, I have faithfully striven to perform its always complex and often perplexing duties without partisan bias and with the sincerest impartiality. Whether I have realized the true ideal of a just presiding officer, aiding, on the one hand, the advance of the public business, with the responsibility of which the majority is charged, and, on the other hand, allowing no trespass on the parliamentary rights of the minority, must be left for others to decide. But looking back now over the entire Congress, I cannot remember a single word addressed to you which 'dying I would wish to blot.'

"On this day, which by spontaneous consent is being observed wherever our flag floats as a day of national rejoicing, with the roar of cannon greeting the rising sun on the rock-bound coast of Maine, echoed and re-echoed by answering volleys from city to city, and from mountain peak to mountain peak, till from the Golden Gate it dies away far out on the calm Pacific, we mingle our congratulations with those of the freemen we represent over the victories for the Union that have made the winter just closing so warm with joy and hope. With them we rejoice that the national standard, which our revolutionary fathers unfurled over the land, but which rebellion sought to strike down and destroy, waves as undisputed at this glad hour over the cradle of secession at Charleston as over the cradle of liberty at Faneuil Hill, and that the whole firmament is aflame with the brilliant glow of triumphs for that cause so dear to every patriot heart. We have but recently commemorated the birthday of the Father of his Country, and renewed our pledge to each other that the nation he founded should not be sundered by the sword of treason. And the good news that assures the salvation of the Republic is doubly joyous, because it tells us that the prayers of the past four years have not been unanswered, and that the priceless blood of our brave defenders, so freely offered and so profusely spilt, has not been shed in vain. We turn, too, to-day, with a prouder joy than ever before to that banner, brilliant with stars from the heavens and radiant with glories from the earth, which from Bunker Hill to Yorktown, from Lundy's Lane to New Orleans, and from the darker hours of the rebellion in the past, to Savannah, and Fort Sumter, and Charleston, and Columbia, and Fort Fisher, and Wilmington in the present, has ever symbolized our unity and our national life, as we see inscribed on it ineffaceably that now doubly noble inscription, 'Liberty and Union, now and forever, one and inseparable.'

"But, in this hour of gladness I cannot forget the obligations, paramount and undying, we owe to our heroic defenders on every battle-field upon the land, and every wave-rocked monitor and frigate upon the sea. Inspired by the sublimest spirit of self-sacrifice, they have realized a million-fold the historic fable of Curtius as they have offered to close up, with their own bodies, if need be, the yawning chasm that imperiled the Republic. For you and me, and for their country, they have turned their backs on the delights of home, and severed the tenderest of ties to brave death in a thousand forms; to confront with unblanched cheek the tempest of shot, and shell, and flame; to storm frowning batteries and bristling intrenchments; to bleed, to suffer, and to die. As we look from this Capitol Hill over the nation there are crushed and broken hearts in every hamlet; there are wounded soldiers, mangled with rebel bullets, in every hospital; there are patriot graves in every church yard; there are bleaching bones on every battle-field. It is the lofty and unfaltering heroism of the honored living, and the even more honored dead, that has taken us from every valley of disaster and defeat and

*Congressional Globe, Second Session, Thirty-eighth Congress, pp. 1423-4.

placed our feet on the sun-crowned heights of victory. The granite shaft may commemorate their deeds. Our American Valhalla may be crowded with the statues of our heroes. But our debt of gratitude to them can never be paid while time shall last and the history of a rescued nation shall endure.

"If my voice, from this Representative Hall, could be heard throughout the land, I would adjure all who love the Republic to preserve this obligation ever fresh in grateful hearts. The dead, who have fallen in these struggles to prevent an alien flag from waving over the ashes of Washington, or over the graves where sleep the great and patriotic rivals of the last generation, the hero of New Orleans and the illustrious Commoner of Kentucky, cannot return to us. On Shiloh's plain and Carolina's sandy shores, before Richmond, and above the clouds at Lookout Mountain, the patriot martyrs of constitutional liberty sleep in their bloody shrouds till the morning of resurrection. But the living are left behind. And if the Sacred Record appropriately commends the poor, who are ever with us, to our benefactions and regards, may I not remind you that the widow and the fatherless, the maimed and the wounded, the diseased and the suffering, whose anguish springs from this great contest, have claims on all of us, heightened immeasurably by the sacred cause for which they have given so much? Thus, and thus alone, by pouring the oil of consolation into the wounds that wicked treason has made, can we prove our devotion to our fatherland and our affectionate gratitude toward its defenders.

"And, rejoicing over the bow of promise we already see arching the storm-cloud of war, giving assurance that no deluge of secession shall again overwhelm or endanger our nation, we can join, with heart and soul, sincerely and trustingly, in the poet's prayer:

> 'Now, Father, lay thy healing hand
> In mercy on our stricken land;
> Lead all its wanderers to the fold,
> And be their Shepherd, as of old.
>
> 'So shall our nation's song ascend
> To thee, our Ruler, Father, Friend;
> While heaven's wide arch resounds again
> With 'Peace on earth, good will to men.'"

"We go hence with our official labors ended, to the Senate Chamber and the portico of the Capitol, there, with the statue of the Goddess of Liberty looking down for the first time from her lofty pedestal on such a scene, to witness and participate in the inauguration of the Elect of the American people.

"And now, thanking you most truly for the approbation of my official conduct which you have recorded on your Journals, I declare the House of Representatives of the Thirty-eighth Congress of the United States adjourned *sine die*."

NOTE.—The following incident is so characteristic of Speaker Colfax, and so well illustrates that goodness of heart, and sweetness of disposition, for which he is distinguished, that, although perhaps out of place here, I cannot omit it. The last days of this session were, as such days always are, full of cares and perplexities, everything and everybody hurried, and impatient, yet through all, Colfax retained his amiability. On the last night of the Session, when going into the Speaker's Room, I saw a basket of most beautiful flowers, marked: "*Mrs. G., with the kind regards of Mr. Colfax.*" This lady was the wife of an officer of the House, who was very ill. This kind consideration, that did not forget the wife of a subordinate even in that last hurried night of the Session, shows an unselfish heart somewhat too rare among politicians.

CHAPTER XXVII.

LINCOLN'S SECOND INAUGURATION—THE END OF THE WAR.

FORT FISHER—PEACE CONFERENCE—WILMINGTON AND GOLDSBORO TAKEN—REBELS RESOLVE TO ARM THE NEGRO—COLUMBUS, S. C., CAPTURED—CHARLESTON FALLS—SECOND INAUGURATION OF LINCOLN—HE GOES TO GRANT'S HEADQUARTERS—MILITARY CONFERENCE—SHERIDAN AT FIVE FORKS—AN ASSAULT ALONG THE WHOLE LINE—PETERSBURG AND RICHMOND EVACUATED—LEE SURRENDERS TO GRANT—JOHNSTON SURRENDERS TO SHERMAN—ALL REBEL ARMIES SURRENDER—THE PRESIDENT AT RICHMOND—RETURNS TO WASHINGTON—THE GRAND REVIEW OF THE ARMIES.

THE armies of the Republic were not idle during the winter of 1864-5. Indeed, some of them had progressed so far South as to make the winter the most favorable period for a campaign. At Christmas, as has been stated, Sherman, with his confident, victorious army, was at Savannah. The remnants of Hood's discomfited and broken columns had been driven towards the Gulf by the well-organized, and triumphant army of Thomas. Grant, with the Grand Army of the Potomac, was tightening his grasp around Petersburg and Richmond, holding Lee with all his force, and ready to take advantage of any diminution of troops in his front.

The military operations of 1865 began with an expedition by a land and naval force combined, to reduce Fort Fisher, situated near the mouth of Cape Fear River, and which commanded the approach to Wilmington, North Carolina. This port had been a principal place of blockade running, and foreign trade, by the rebels during the war. After the

fall of Savannah, it became the principal gate through which supplies from abroad could be passed to the Confederates. The almost invulnerable works of the fort were strongly garrisoned, for the enemy appreciated the importance of holding this position; nevertheless, General Grant determined to reduce it. On the 13th of December a force of about 6,500 men, under General Butler, started from Fortress Monroe, to operate in conjunction with the naval force under Admiral Porter against Fort Fisher.

On the 24th of December, Admiral Porter attacked the fort, without waiting for the arrival of the land forces; but, after a bombardment of five hours duration, the Admiral withdrew his fleet. During the following night, General Butler's forces arrived, and on the 25th about 2,200 of the men were landed. The attack by the naval force was renewed. General Weitzel, who had the immediate command of the force on shore, captured two batteries, and some prisoners; but, after a careful examination of the ground and defences, he reported against the expediency of attempting to carry the place by assault. In the evening General Butler ordered the trooops to reëmbark, and notified Admiral Porter that he should sail for Hampton Roads. General Grant, the administration, and the public, were greatly disappointed at the result of this expedition. But there was not a hearty coöperation between the land and naval force.

It was not usual for Grant to abandon an object deemed important, until it was accomplished. Learning that the fleet was still off Fort Fisher, he advised Admiral Porter to hold on, and that he would make another attempt to take the place. He selected General A. H. Terry to command the expedition, and about 1,500 men were added to those who made the former attempt. The expedition reached its destination on the evening of the 12th. The troops disembarked on the 13th of January; on the 16th the fort was assaulted, and after several hours' desperate fighting was captured with its garrison and armament. The Union force soon acquired entire control of Cape Fear River. For this gallant exploit, General Terry was made a Major General.

At the request of General Grant, Butler was relieved from command, and Major General Ord assigned to the department of Virginia and North Carolina.*

During the winter of 1865, there were unofficial and unauthorized movements looking towards peace. Before Mr. Blair's visit to Richmond, an earnest friend of peace—honest, perhaps, but mistaken—approached Mr. Lincoln, and said in substance: "Assuming that Grant is baffled and delayed in his efforts to take Richmond, will it not be better to accept peace on favorable terms than to prolong the war? Have not nearly four years of war demonstrated that, as against a divided North, a united South can make a successful defence? The South is a unit, made so, it is conceded, by *despotic* power. We of the North cannot afford to secure unity by giving up our constitutional government; we cannot secure unity without despotism." The rebels, said this advocate for peace, "will fill up their exhausted armies by 300,000 negroes; these negroes, under the training and discipline of white officers, and with freedom as their reward, will fight for them. The Union armies will be very greatly reduced next year by the expiration of the term of service of many of the men. How will you fill up the ranks? The people are divided; one-third or more, as the elections show, are positively and unalterably against the war; one-third or more positively and unalterably for carrying it on until the rebellion is thoroughly subjugated; the remainder of the people—when the clouds gather black and threatening again, when another draft comes, and increased taxation, the peace men, and the timid, facile, doubtful men, will go over to the opposition and make it a majority. You can now secure any terms you please, by granting to the rebels recognition. You can fix your own boundary. You can hold all within your lines—the Mississippi River, and all west of it, and Louisiana. You can retain Maryland, West Virginia, and Tennessee. Take this—make peace.

* When the intelligence of the capture of Fort Fisher reached Washington, General Butler was being examined by the committee on the conduct of the war, in regard to the failure of his expedition. When the news was announced, "Thank God for that," exclaimed he.

Is not this as much territory, which was formerly slave territory, as the Republic can digest and assimilate to freedom at once? Make this a homogeneous country—make it *free*, and then improve and develop the mighty empire you have left. If you succeed in subduing the entire territory in rebellion, can the nation assimilate it, and make it homogeneous? Are the people in the Gulf States sufficiently intelligent to make freedom a blessing? You can people, educate, and bring up to the capability of self-government the territory you have within your lines, but taking it all—with its people accustomed to slavery, with the ignorance and vice resulting therefrom, is it clear that it is worth the blood and treasure it may cost?"

The President was unmoved by these representations. His reply was brief, and emphatic: "There are," said he, "just two indispensable conditions to peace—*national unity, and national liberty.* The national authority must be restored through all the States, and I will *never* recede from the position I have taken on the slavery question."* "The people," said he, "have the courage, self-denial, the persistence, to go *through*, and before another year goes by, it is reasonably certain, we shall bring all the rebel territory within our lines. We are neither exhausted, nor in process of exhaustion. We are really stronger than when we began the war. The purpose of the people to maintain the integrity of the Republic has never been shaken."

Mr. Lincoln justly regarded the November election as deciding that there should be no peace without union; no peace until the supremacy of the national authority should be everywhere recognized; no peace without liberty to all.

For the purpose of learning the views of the Confederate leaders, F. P. Blair, sen., a private citizen, but a man of large political experience, and great influence with many family and personal friends among the rebels, on the 28th day of December, 1864, obtained from the President permission to pass through the military lines South, and return. The President was informed that he intended to use the pass as a means of getting to Richmond, but no authority to

*See Mr. Lincoln's instructions to Mr. Seward, when sent to meet Stephens and Hunter at Fortress Monroe.

speak or act for the Government was conferred upon him. On his return he brought Mr. Lincoln a letter from Jefferson Davis, addressed to himself, the contents of which he had been authorized by Davis to communicate to the President, in which Davis stated he was now, as he always had been, willing to send commissioners, or receive them, and "to enter into a conference with a view to secure peace to the '*two countries.*'" Thereupon the President addressed a note to Mr. Blair, dated January 18th, 1865, in which, after stating that he had read the note of Davis, he said he had been, was now, and should continue, ready to receive any agent whom Davis, or other influential person resisting the national authority might informally send to him with a view of securing peace to the people of "*our common country.*" This note was delivered by Mr. Blair to Jefferson Davis. The visit of Mr. Blair resulted in the appointment by Davis of Alexander H. Stephens, R. M. T. Hunter, and John A. Campbell, to confer with the President on the subject of peace, on the basis of his letter to Mr. Blair. When their arrival at the camp of General Grant was announced, Secretary Seward was charged by the President with representing the Government at the proposed informal conference. With the frankness which was characteristic of Mr. Lincoln, he instructed Mr. Seward to make known to Messrs. Stephens, Hunter, and Campbell that three things were indispensable, to wit:

1. The restoration of the national authority throughout all the States.

2. No receding by the Executive of the United States on the slavery question, from the position assumed thereon in the late annual message to Congress, and in preceding documents.

3. No cessation of hostilities short of an end of the war, and the disbanding of all forces hostile to the Government.

He was further instructed to inform them that all propositions of theirs not inconsistent with the above, would be considered and passed upon, in a spirit of sincere liberality. He was further instructed "to hear and report, but not to consummate anything."

However, before any conference was had, the President joined Secretary Seward at Fortress Monroe; and on the 3d

of February, Messrs. Stephens, Hunter, and Campbell came on board the steamer of the President, and had an interview of several hours with him.

The conditions as contained in the President's instructions to Mr. Seward were stated and insisted upon. Those conditions, it will be observed, contained an explicit statement that the Executive would not recede from the Emancipation Proclamation, nor from any of the positions which he had taken in regard to the abolition of slavery. The agents of Davis were also informed that Congress had by a constitutional majority, adopted the joint resolution, submitting to the States the proposition to abolish slavery throughout the Union, and that there was every reason to believe it would be adopted by three-fourths of the States, so as to become a part of the constitution. The rebel agents earnestly desired a temporary cessation of hostilities, and a postponement of the questions, but to this the President would not listen. So far from this, Mr. Lincoln said to General Grant: "Let nothing that is transpiring change, hinder, or delay your military movements or plans." The conference ended without result.*

*Mr. Stephens is stated by a Georgia paper to have repeated the following characteristic anecdote, as having occurred during the interview: "The three Southern gentlemen met Mr. Lincoln and Mr. Seward, and after some preliminary remarks, the subject of peace was opened. Mr. Stephens, well aware that one who asks much may get more than he who confesses to humble wishes at the outset, urged the claims of his section with that skill and address for which the Northern papers have given him credit. Mr. Lincoln, holding the vantage-ground of conscious power, was, however, perfectly frank, and submitted his views almost in the form of an agreement.

"* * * * Davis had on this occasion, as on that of Mr. Stephens' visit to Washington, made it a condition that no conference should be had, unless his rank as commander or President should first be recognized. Mr. Lincoln declared that the only ground on which he could rest the justice of war—either with his own people or with foreign powers—was that it was not a war for conquest, for that the States had never been separated from the Union. Consequently, he could not recognize another government inside of the one of which he alone was President; nor admit the separate independence of States that were yet a part of the Union. 'That,' said he, 'would be doing what you have so long 'asked Europe to do in vain, and be resigning the only thing the armies of the Union have been fighting for.'

"Mr. Hunter made a long reply to this, insisting that the recognition of Davis' power to make a treaty was the first and indispensable step to peace, and referred to the correspondence between King Charles I. and his Parliament, as a trustworthy precedent of a constitutional ruler treating with rebels. Mr. Lincoln's face then wore that indiscribable expression which generally preceded his hardest hits, and he remarked: 'Upon questions of history I must refer you to Mr. Seward, for he is posted in such things, and I don't pretend to be bright. My only distinct recollection of the matter is, that Charles lost his head.' That settled Mr. Hunter for a while."

It appears from a statement of Mr. Hunter, one of the persons appointed by Davis to represent the Confederacy at this conference, that Mr. Lincoln was very explicit upon a most important point in regard to *reconstruction* as it is called. Mr. Hunter, before the rebellion, had been Speaker of the House of Representatives, Senator of the United States, and was one of the ablest men of the Confederates. In a carefully prepared speech made at Richmond on his return from the peace conference, he said: "Whenever we go into the United States as a conquered people, we give up the laws of the United States, and must take such as they choose to make for us; and we go in without representation in making those laws; for," said he, "Mr. Lincoln told us, *told me*, that while we could send Representatives to the Yankee Congress, yet it rested with that Congress to say whether they would admit them or not."* If Mr. Hunter tells the truth, here is another expression of opinion by Mr. Lincoln, directly upon the point that it rested with Congress exclusively to determine whether Representatives from the rebellious States should be admitted. This statement, made directly after the conference, upon a point upon which Mr. Hunter would naturally feel peculiarly solicitous, may be regarded as entitled to consideration; especially, as it is in harmony with the statements and positions of Mr. Lincoln upon other occasions.

Mr. Lincoln might now well feel confident of early and decisive success. Grant held the forces of Lee so that they could not safely leave their fortifications. Thomas, with a victorious army, was in the West; Sherman, with his invincible army in the South, and it only remained for the comprehensive mind of Grant, after destroying some additional outposts, to close in, and crush the waning military power of the rebels. The army of Hood, having been defeated and nearly destroyed, General Grant directed General Thomas to send General Schofield, with his corps to the East; it was promptly sent, reaching Washington on the 23d of February, and was immediately dispatched to North Carolina. That State was now constituted a military Department,

*This speech will be found quoted in Appleton's Encyclopedia of 1865, p. 191.

and General Schofield assigned to its command, and placed under the orders of General Sherman. General Schofield, in coöperation with the fleet of Admiral Porter, proceeded to reduce Wilmington. The Union troops followed, and entered that city on the morning of the 22d of January, the enemy having retreated towards Goldsboro.

In this extremity, General Lee was, on the 2d of February, appointed to the command of all the armies of the Confederacy. The rebel authorities, in their desperate fortunes, now resolved to call upon the poor, despised negro for aid. Freedom was now offered to him if he would fight for his master. Mr. Benjamin, the Secretary of State of the Confederacy, in a public meeting after the peace conference at Hampton Roads, said the Confederates had 680,000 black men, and he expressed his regret that they had not been called into the field. He continued: "Let us now say to every negro who wishes to go into the ranks on condition of being free, 'go and fight—you are free.' My own negroes have been to me and said, 'master, set us free, and we'll fight for you.'" He continued: "You must make up your minds to try this, or see your army withdrawn from before your town. * * * I know not where white men can be found."

General Lee had long before recommended this policy, and declared that the war could be carried on only by the employment of negro soldiers. On the 16th of February, the Legislature of Virginia passed resolutions authorizing and consenting that such number of able-bodied slaves might be enlisted into the military service, as might be deemed necessary. A bill was passed in the Confederate Congress, authorizing the employment of slaves, but it came too late to be of service, if, indeed, it ever could have availed.

Sherman, on the 1st of February, started his army from Savannah. A broad track of desolation, sweeping along the great lines of railroads, marked his path. On the 17th, he captured Columbia, South Carolina; thence, he moved on Goldsboro, North Carolina, by Fayetteville, reaching the latter city on the 12th of March, and opening communications with General Schofield. On the 25th of February, General Joe Johnston was appointed by Jefferson Davis to

command the army of the Tennessee, and all the troops of South Carolina, Georgia, and Florida.

On the 15th of March, Sherman resumed his march upon Goldsboro, and after a severe fight at Averysboro, compelled the enemy to retreat. On the 18th, the combined forces of the enemy under Johnston, attacked Sherman's advance at Bentonville, capturing three guns and driving it back upon the main body, but on the night of the 21st they retreated.

Sherman's forces now united with those of Generals Terry and Schofield. Among the most important fruits of the campaign of Sherman into South Carolina, none were more gratifying than the fall of Charleston. The march of Sherman to Columbia compelled its evacuation, which took place on the night of the 17th, and it was occupied by the Union troops on the 18th of February. The Union flag had been lowered at Sumter, the 14th of April, 1861. For nearly four years, this proud city had successfully resisted all attacks upon it, but was forced at last to yield to the army of Sherman, which had marched unchecked half across the Republic, from North to South, and from West to East. It was now occupied and held by colored troops, many of them recruited from South Carolina. Here, as elsewhere throughout the slave States, the Union soldiers were received by the negroes with acclamations of delight. They followed the National flag through the streets singing:

"Ye's long been a'comin,
Ye's long been a'comin, etc.,
For to take de land.

"And now ye's a'comin,
And now ye's a'comin, etc.,
For to *rule* de land."

While the Union armies were everywhere marching on from victory to victory, let us return to the Capital, to witness the second inauguration of him who was the central figure of the vast and complicated machinery now moving forward with irresistible force to crush into one common grave slavery and rebellion.

On the night of the 3d of March, 1865, as is usual on the last night of the session, the President, with his Cabinet, was

at his room in the Capitol, to receive the numerous acts which always pass Congress during the last hurried hours of the session. The Thirty-eighth Congress, on the 3d of March, continued its session from 7 o'clock in the evening until 8, A. M., on the morning of the 4th. It was a stormy night, and while the President was thus waiting, exchanging congratulations with Senators and members, there came to the Secretary of War, a telegram from General Grant, announcing that Lee had at last sought an interview with him for the purpose of trying to arrange terms of peace. We now know from Lee's testimony taken before a secret committee of the Rebel Congress, that he had for a considerable time before this, lost hope in the success of the rebellion. Lee had advised General Grant that he was clothed with authority to act. The dispatch was handed to the President, and after reading it, and reflecting for a few moments, he wrote the following reply, which was submitted to his Cabinet then present. It was then signed by the Secretary of War, and telegraphed to General Grant:

"WASHINGTON, March 3, 1865—12 P.M.

"Lieutenant General GRANT:

"The President directs me to say to you that he wishes you to have no conference with General Lee, unless it be for the capitulation of General Lee's army, or on some minor and purely military matter. He instucts me to say that you are not to decide, discuss, or confer upon any political question. Such questions the President holds in his own hands, and will submit them to no military conferences or conventions. Meantime you are to press to the utmost your military advantages.

"EDWIN M. STANTON, *Secretary of War.*"

The morning of the 4th of March was still cloudy and stormy, but as the hour of 12 approached, the rain ceased, the clouds disappeared, and the bright, genial sun came forth in all its splendor. Crowds of the best and noblest of the land; those who had given their time, their means, and their best exertions to the country in civil and military service, had gathered to the Capital to witness the second inauguration of a man now the most beloved and revered of all in the land. As the procession started for the Capitol, a

brilliant star made its appearance in the sky, and the incident was regarded by many as an omen of peace. The two Houses of the Thirty-eighth Congress adjourned *sine die*, at 12 o'clock. A special session of the Senate, had been convened, and Andrew Johnson, at that hour appeared, took the oath of office and became Vice President, and the presiding officer of that most dignified body in America, the Senate of the United States. There were then present, beside the members of both Houses of Congress, the Judges of the Supreme Court in their official robes, the Diplomatic Corps, brilliant in the Court costumes of the respective nations they represented. A crowd of distinguished officers of the army and navy in full uniform; prominent citizens, scholars, statesmen, bishops, clergy, governors, judges, editors, from all parts of the Union, on the floor of the Senate. The galleries were full of ladies, and citizens, especially of soldiers, who had come in from the hospitals and camps about Washington, to witness the inauguration of their beloved Chief. The Vice President was regarded with especial interest. His entrance into the Senate chamber recalled the bold and patriotic words he had, from his seat in the Senate, hurled against the leading traitors; words, the utterance of which had made him Vice President. He was greeted with cheers; cheers which his appearance and words soon silenced into astonishment and humiliation. At 12.30, followed by the brilliant assembly from the Senate chamber, the President was conducted to the eastern portico of the Capitol, again to take the official oath of office, and pronounce his inaugural. A vast crowd met him, but very different from that which greeted him on his first inauguration. Now a crowd of citizens and soldiers, who would willingly die for their Chief Magistrate, thronged the area in front of the Capitol. It was touching to see the long lines of invalid and wounded soldiers in the National blue, some on crutches, some who had lost an arm, many pale from unhealed wounds, who had sought permission to witness the scene. As the President reached the platform, and his tall form, high above his associates, was recognized, cheers and shouts of welcome filled the air; and not until he raised his arm in token that he would speak, could they be hushed. He paused a moment, and looking

over the brilliant scene, still hesitated. What thronging memories passed through his mind! Here, four years ago, he had stood on this colonnade, pleading earnestly with his "dissatisfied fellow countrymen" for peace, but they would not heed him! He had there solemnly told them that, in their hands, and not in his, was the momentous issue of civil war. He had told them they could have no conflict, without being themselves "the aggressors;" and even while he was pleading for peace, they took up the sword, and he was compelled to "accept war." Now, four long, weary years of wretched, desolating, cruel war, had passed; those who made that war were everywhere being overthrown; that cruel institution which had caused the war had been destroyed, and the dawn of peace was already brightening the sky behind the clouds of the storm!

Chief Justice Chase administered the oath. Then with a clear, but at times a saddened voice, President Lincoln pronounced this his second — his last

INAUGURAL.

"FELLOW-COUNTRYMEN:— At this second appearing to take the oath of the Presidential office, there is less occasion for an extended address than there was at the first. Then a statement somewhat in detail of a course to be pursued, seemed very fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention and engrosses the energies of the nation, little that is new could be presented.

"The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself, and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

"On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it, all sought to avoid it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents

were in the city, seeking to destroy it with war — seeking to dissolve the Union and divide the effects by negotiation. Both parties deprecated war, but one of them would make war rather than let the Nation survive, and the other would accept war rather than let it perish, and the war came. One-eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate, and extend this interest, was the object for which the insurgents would rend the Union by war, while the Government claimed no right to do more than to restrict the territorial enlargement of it.

"Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease with, or even before the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding.

"Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayer of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. Woe unto the world because of offenses, for it must needs be that offenses come, but woe to that man by whom the offense cometh. If we shall suppose that American slavery is one of these offenses which, in the providence of God, must needs come, but which having continued through His appointed time He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern there any departure from those Divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years

of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so, still it must be said, that the judgments of the Lord are true and righteous altogether.

"With malice towards none, with charity for all, with firmness in the right as God gives us to see the right, let us finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and his orphans to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations."

Since the days of Christ's Sermon on the Mount, where is the speech of Magistrate, Prince, or Ruler, which can compare with this? May we not, without irreverence, say that the passage commencing: "Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsmen's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn by the lash shall be paid by another, drawn with the sword, as was said three thousand years ago, so still it must be said that the judgments of the Lord are true and righteous altogether," is worthy of that Holy Book which daily he read, and from which, during his long days of trial, he had drawn inspiration and guidance? Where else, but from the teachings of the Son of God, could he have drawn that Christian charity which pervades that last sentence, in which he so unconsciously describes his own moral nature: "*with malice towards none, with charity for all, with firmness in the right as God gives us to see the right*, let us finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow, and his orphans; to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations." No State paper, in American annals, not even Washington's farewell address, has made a deeper impression upon the people.

Coming down from the Capitol after its delivery, and meeting Dr. Channing, the chaplain of the House, he said:

"Mr. Lincoln's inaugural is the finest State paper in all history." A distinguished statesman and jurist from New York, after hearing the inaugural, said to a friend of the President from Illinois: "As Washington's name grows brighter with time, so it will be with Lincoln's. A century from to-day that Inaugural will be read as one of the most sublime utterances ever spoken by man. As Washington's is the great name of the revolution, so will be Lincoln's of the civil war; and Lincoln will perhaps occupy a higher position in history than Washington." "Yes," was the reply, "if he crushes the rebellion; yes, if he overthrows slavery; yes, because the events with which he has had to do, affect thirty millions of people, instead of three."

This inaugural, in its solemn recognition of the justice of Almighty God, reminds us of the grand old words of the Hebrew prophets. When this paper crossed the Atlantic, there, as here, it received the most profound attention. The leading statesmen of the continent, the leading minds of Great Britain and France, through the press, and in Parliament, found no words adequate to express their admiration.

There was one feature of this inauguration entirely new; it was attended by a vast crowd of freedmen. From Washington and Baltimore, from the country about, in Maryland and Virginia, they gathered by thousands to witness the inauguration of him whom they called *their* President, *their* benefactor. Lincoln possessed those qualities, and had rendered such services, that, if he had lived in the days of mythology, he would have been placed among the gods. A majority of the negro race now regard him as Divine, and it is doubtful if they will ever be able to see him simply as a man. When the clouds broke away, and the sun came out in its brilliancy on inauguration day—especially when a star appeared at mid-day, these simple, excitable, strongly religious and superstitious people, saw in these natural exhibitions the palpable interposition of God.

The only change made in the Cabinet, was one made necessary by the retirement of Mr. Fessenden, who resigned to take his seat in the Senate. On the sixth of March Hugh McCulloch, of Indiana, was appointed Secretary of

the Treasury. James Speed, of Kentucky, had been, in 1864, appointed Attorney-General in place of Edward Bates, who had resigned. The appointment of Mr. McCulloch, from Indiana, led to the resignation of Mr. Usher, who had succeeded Caleb Smith, of Indiana, as Secretary of the Interior. He resigned, to take effect on the 15th of May, and James Harlan, Senator from Iowa, was appointed his successor.

And now Mr. Lincoln's whole heart was with the movements of the armies, which he confidently hoped would be decisive. He was conscious that the end approached, and determined to spend some time at the headquarters of General Grant, near Petersburg.

On the 27th of March, 1865, the President, as Commander-in-Chief, met his leading and most trusted generals then in the field, at the headquarters of General Grant, at City Point, to arrange the final movements against Lee and Johnston. An artist has worthily depicted the scene of the meeting of the President and his Cabinet, when he read to them his Proclamation of Emancipation. This meeting, at Grant's headquarters, yet awaits the pencil which shall picture this scene, second in interest only to that. There was the towering form of Lincoln, his rugged face which had been so deeply furrowed with care and anxiety, now radiant with hope and confidence. There was the short, sturdy, resolute form of the hero of Vicksburg, so firm and iron-like; every feature of his face, and every attitude and movement, so quiet, yet each expressive of inflexible will, and never-faltering determination "to fight it out on this line." There, too, was the tall form of Sherman, with his broad, intellectual forehead, his nervous restlessness, his sharply outlined face, bronzed by that magnificent campaign from Chattanooga to Atlanta—from Atlanta to the sea—and now fresh from the conquest of Georgia and South Carolina. There, too, was Meade, the hero of Gettysburg, the ever faithful Lieutenant of Grant, in the terrible campaign, now, after all its bloody conflicts, to be crowned with complete success. There, too, was the small, sinewy form of Sheridan, the embodiment of fiery energy, and restless activity; and there

was Ord, ever a gallant and indefatigable soldier. Here the plans of these great leaders were all discussed and perfected, and each went forth to execute his assigned part in the general, combined movement against the foe.

A general movement of the forces around Richmond had been decided upon. It began on the 29th, and ten days' marching and fighting finished the campaign. The rebels, however, on the 25th, made one last effort to break through the lines of Grant; they assaulted and took Fort Steadman, and a part of the line to the right and left of it, but soon the reserves were brought up, and the enemy was driven back with a heavy loss in killed and wounded, and 900 prisoners. General Grant says: "I had spent days of anxiety lest each morning should bring the report that the enemy had retreated the night before. I was firmly convinced that Sherman's crossing the Roanoke would be the signal for Lee to leave. With Johnston and him combined, a long, tedious, and expensive campaign, consuming most of the summer, might become necessary." This, Grant now determined to prevent. To effect this object, he sent Sheridan with the cavalry far to the left, followed by Warren with the Fifth Corps, and Humphreys with the Second. Troops were drawn from the James, to occupy the lines around Petersburg, and take the place of those which followed Sheridan to the left. The cavalry advanced and occupied Dinwiddie Court House. The line of entrenchments around Richmond and Petersburg extended near forty miles. Grant had resolved to turn Lee's right, and, if possible, interpose a force between him and escape; and if Lee should so weaken his lines by sending troops to our extreme left, as to make it practicable, assault and carry the works in his front. When Sheridan reached Dinwiddie Court House, he was, according to the original design, to cut loose, and start on an expedition against the South-side, and Danville Railroads. But on the night of the 29th, Grant modified his plan in this respect, and wrote to Sheridan: "I now feel like ending the matter, if it is possible to do so, before going back. * * In the morning, therefore, push round the enemy, and get on his right-rear. We will act altogether as one army here,

until it is seen what can be done with the enemy." But Lee had discovered the movement, and perceiving how fatal to him would be its success, he struggled to interpose a shield, to ward off the attack of the eager and earnest Sheridan. If Sheridan turned his right, got in his rear, and cut the railroads, his army was lost. And yet with a line of works from north-east of Richmond, extending across the James, and to the south-east of Petersburg, a distance of thirty-five miles to be guarded; a watchful and powerful army along this front ready to spring forward and seize any weak point, it was difficult for him to detach any very large force to meet the assault of Sheridan. A storm interposing, retarded the approach of the Union infantry and artillery sent to support Sheridan, and gave Lee time to concentrate his force. He anticipated the attack, and made an impetuous assault upon Warren, but it was finally repulsed, with a severe loss to Lee.

Sheridan appreciating the vital importance of seizing Five Forks, the centre of five roads, and situated about four miles west of Lee's entrenched line, and the key to the position which he was struggling to hold, he determined to secure the point. On the 31st of March, while with a portion of his force he occupied the attention of the enemy, with another he moved rapidly to Five Forks, and seized the position. The rebel commander sent a force too strong to be resisted, and drove out the cavalry of Sheridan, compelling him to return again to Dinwiddie Court House. Here, pressed by superior numbers, Sheridan dismounted his troops and placed them behind a slight breast-work, and repulsed an attack of infantry. Reënforcements were ordered to join Sheridan as rapidly as possible. This officer now, as soon as relieved, immediately renewed the attempt to get possession of the important position of Five Forks. Towards this point Lee was concentrating all the force he could spare. Sheridan, at the head of the cavalry, again pushed forward and drove him within his works at the point of the converging roads. Meanwhile the Fifth Corps had joined him. While holding the front, he made a feint as though to turn the rebel right, while he ordered Warren to

fall with full force on their left. While Warren executed this order with great personal heroism, capturing men and guns, the cavalry charged full on the rebel right and front, and the result of this brilliant affair was the capture of 5,000 prisoners, and many guns!

At early dawn on Sunday morning, the 2d of April, Grant ordered an assault upon the weakened lines in front of Petersburg. This was made along the whole line from the banks of the Appomattox to Hatcher's Run, by Parke, Wright and Ord. The line was everywhere carried, and then away beyond Hatcher's Run—away to the extreme left—the Union troops carried everything before them, and the rebel forces were everywhere in full retreat. During the fierce cannonade of that Saturday night, Lee ordered Longstreet, whose forces had held the lines north of the James, to come to his relief at Petersburg. The bells of Richmond tolled, and the drums beat, calling militia, citizens, clerks, everybody who could carry arms, to man the lines from which Longstreet's troops were retiring. Then in that ill-fated city—

> —"The beat of the alarming drum
> Roused up the soldier, ere the morning star,
> While thronged the citizens, with terror dumb,
> Or whispering, with white lips, the foe, they come! they come!
>
> "And there was mounting in hot haste, the steed,
> The mustering squadron, and the clattering car
> Went pouring forward, with impetuous speed,
> And swiftly forming"—

not "in the ranks of war," but—*to escape*.

At eleven A. M. of that Sunday, Lee sent a dispatch to Jefferson Davis, which he received in church, saying Petersburg and Richmond could no longer be held. And now the commander of the Confederate army strained every nerve to escape; but Grant had determined then and there to "make an end of it," and pressed on with all possible vigor. Sheridan, with his cavalry, and the Fifth Corps, under Warren, were far to the southwest, already blocking the path of escape south of the Appomattox. Crossing to the north side, Lee struck westerly towards Amelia Court House. All that night the remains of the once proud and valiant army of Northern Virginia, which had fought and

struggled with a heroism worthy of a nobler cause, pressed forward, and by morning were sixteen miles from Petersburg. In the early dawn of Monday, April 3d, the skirmish line of Grant's army advanced, and soon discovered that Petersburg had been evacuated. At the same time the troops north of the James discovered Richmond to be on fire, and General Weitzel sent forward a cavalry party, which entered the city, and once more restored the star-spangled banner over the capital. But not for Richmond did the iron will of Grant turn aside for a single moment from his fixed determination to destroy the army of Lee. He pressed the pursuit with all his energy, and Lee now struggled painfully to escape. During the 3d, Lee reached Amelia Court House, on the Danville Road, thirty-eight miles west of Richmond. There he expected to find a depot of rations for his nearly famished army; they had by mistake been forwarded to Richmond, and consumed in the conflagration of that city. Here, in consequence, he was compelled to remain until the 5th, to obtain food, and this gave time to the indefatigable Sheridan, with his cavalry, to strike the Danville Railroad at Jetersville, seven miles to the southwest of Amelia Court House. Late in the afternoon of the 5th, Meade, with the Second and Fifth Corps, came up with Sheridan. Lee was still at Amelia Court House. On the night of the 5th the rebel commander made another move with the hope of reaching Farmville, west twenty-five miles; there he hoped to cross the Appomattox, destroy the bridge, and fly to the mountains. Meanwhile the army of the James, under Ord, came down, and a light column in advance met the head of Lee's column near Farmville, which its commander, General Reed, heroically attacked, and by such attack detained. Reed was killed, sacrificing himself and his small command to secure the capture of Lee's army. This delay enabled General Ord to come up, upon which the rebels entrenched. In the afternoon, Sheridan again struck the enemy, capturing sixteen pieces of artillery, 400 wagons, and detained the rebel force until the Sixth Corps could reach him, when a general attack was made, resulting in the

capture of 6,000 prisoners, including Ewell, and many general officers. The next day, the 7th, the pursuit was renewed, and it was ascertained that Lee had succeeded in crossing to the north side of the Appomattox; but so close was the pursuit, that the retreating army was prevented from destroying the bridge, and the pursuing column followed on its heels. The escape of the rebel army was now hopeless. It was between the Appomattox and the James, exhausted of supplies, its cavalry and draught horses starving, and the men by thousands falling out of the ranks, from hunger and fatigue.

Grant seeing, as he says, that Lee's chance of escape was utterly hopeless, magnanimously addressed him a note, suggesting the hopelessness of further resistance, and stating that he felt it his duty to shift from himself the responsibility of further effusion of blood, by asking a surrender. Lee replied on the same day, the 7th, stating that he too desired to avoid useless effusion of blood, and asked what terms would be offered on condition of surrender.

Grant replied, on the 8th, that, "*Peace* being my great desire, there is but one condition I would insist upon, and that is the men and officers surrendered shall be disqualified for taking up arms against the Government of the United States until properly exchanged."

The pursuit, however, was not relaxed. Early in the morning of the 8th, Meade followed Lee north of the Appomattox, while the tireless Sheridan, with all the cavalry, pushed straight for Appomattox Station, followed by General Ord's command, and the Fifth Corps. He reached there late in the evening, drove out the rebels, and captured twenty-five pieces of artillery, and four trains of cars loaded with supplies for Lee's army.

The chase was up. At midnight Grant received from Lee the following note:*

"April 8, 1865.

"General: I received at a late hour your note of to-day. In mine of yesterday I did not intend to propose the surrender of the army of Northern Virginia, but to ask the terms of your proposition. To be

* Grant's Report, p. 41.

frank, I do not think the emergency has arisen to call for the surrender of this army, but as the restoration of peace should be the sole object of all, I desired to know whether your proposals would lead to that end. I cannot, therefore, meet you with a view to surrender the army of Northern Viaginia, but as far as your proposal may affect the Confederate States forces under my command, and tend to the restoration of peace, I should be pleased to meet you at ten A. M. to-morrow, on the old stage road to Richmond, between the picket lines of the two armies.

"R. E. LEE, *General.*

"Lieutenant General U. S. GRANT."

Its disingenuousness under the name of "frankness," will not be seriously condemned when the extremity to which he and his "*lost cause*" of slavery were reduced, are remembered. He did not deceive Grant, but that commander scorned to take advantage of its dissimulation to exact harder terms, but in accordance with his instructions from the Secretary of War, replied as follows:

"APRIL 9, 1865.

"GENERAL: Your note of yesterday is received. I have no authority to treat on the subject of peace; the meeting proposed for ten A. M. to-day could lead to no good. I will state, however, General, that I am equally anxious for peace with yourself, and the whole North entertains the same feeling. The terms upon which peace can be had are well understood. By the South laying down their arms they will hasten that most desirable event, save thousands of human lives, and hundreds of millions of property not yet destroyed. Seriously hoping that all our difficulties may be settled without the loss of another life, I subscribe myself, &c.,

"U. S. GRANT, *Lieutenant General.*

"General R. E. LEE."

On the 9th the enemy made a desperate attempt to break through the lines of Sheridan, but as the infantry of General Ord came into view, the utter hopelessness of the attempt was perceived, and a white flag was sent, asking a suspension of hostilities, pending a negotiation for a surrender.

General Lee asked an interview in accordance with Grant's note, to arrange the terms of surrender. The interview was

held at Appomattox Court House, and the terms of surrender agreed upon in writing as follows:*

"APPOMATTOX COURT HOUSE, Va., April 9, 1865.

"GENERAL: In accordance with the substance of my letter to you of the 8th instant, I propose to receive the surrender of the army of Northern Virginia on the following terms, to wit: Rolls of all the officers and men to be made in duplicate, one copy to be given to an officer to be designated by me, the other to be retained by such officer or officers as you may designate. The officers to give their individual paroles not to take up arms against the Government of the United States until properly exchanged; and each company or regimental commander sign a like parole for the men of their commands. The arms, artillery, and public property to be parked and stacked, and turned over to the officers appointed by me to receive them. This will not embrace the side-arms of the officers nor their private horses or baggage. This done, each officer and man will be allowed to return to his home, not to be disturbed by United States authority so long as they observe their paroles and the laws in force where they may reside.

"U. S. GRANT, *Lieutenant General.*

"General R. E. LEE."

"HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
"April 9, 1865.

"GENERAL: I received your letter of this date, containing the terms of the surrender of the army of Northern Virginia, as proposed by you. As they are substantially the same as those expressed in your letter of the 8th instant, they are accepted. I will proceed to designate the proper officers to carry the stipulations into effect.

"R. E. LEE, *General.*

"Lieutenant General U. S. GRANT."

These terms were very liberal, magnanimous, generous. Grant's conduct was in the highest degree delicate towards an enemy, that certainly, as a soldier in the field, had earned his respect.

The stipulation in the surrender, providing that "each officer and man will be allowed to return to his home, not to be disturbed by United States authority, so long as they observe their paroles, and the laws in force where they may

*Grant's Report, p. 42.

reside," gave much dissatisfaction to the army, and to the country. There were many officers embraced in the surrender who had deserted their flag to join in the rebellion; some who had never gone through the form of resignation. The Union soldiers remembered that their comrades had been shot for desertion. General Picket, of the rebel army, had hung the Union men of North Carolina for that fidelity to their country which he termed treason. He and his associates were now permitted to return home unpunished, unmolested. Yet this dissatisfaction was in a measure lost in the universal joy and acclamation which greeted the surrender of Lee. It was difficult to exact severe terms of men in the condition of the Confederates. With the heavy burden of slavery to fight for, their heroism and persistence could not fail to secure respect. Lee's position, with all his faults, was indeed pathetic, when he was seen taking his farewell, and saying to his gallant soldiers: "Men, we have fought through the war together, I have done the best I could for you." It was not in the heart of a generous foe to exact severe terms. His misfortunes almost disarmed justice. The meeting of the rank and file, as well as the officers of the two armies, after the surrender, was most cordial. They had learned to respect each other as soldiers. They now fraternized like long separated and estranged brothers. The Confederates were without shoes—in rags and tatters—worn and exhausted with terrible marches, constant fighting, hungry, and utterly wretched. The Union soldiers grasped the hands of their late enemies, made them their guests, divided their rations, supplied them with clothing, and so far as possible relieved every want, and then even divided with them the money in their possession, to enable them to reach their homes. At this time the Confederates appreciated, and were most grateful for the generosity with which, from the Lieutenant General down, they were treated. They would then have joyfully accepted from the Government any terms which left them their lives, and their remaining property.

The surrender of Lee was regarded by the other rebel commanders as fatal to the rebellion, and they rapidly followed his example.

On the 5th of April, Grant directed Sherman to push forward from where he then was, and "let us see," said he, "if we cannot finish the job, with Lee's and Johnston's armies. * * * Rebel armies now are the only strategic points to strike at."* On the receipt of this order Sherman moved against Johnston, who retreated rapidly through Raleigh. This, the capital of North Carolina, Sherman occupied on the 13th of April. On the following day, news of the surrender of Lee, reached General Sherman at Smithfield. On the 14th a correspondence was opened between Sherman and Johnston, which resulted, on the 18th, in an agreement for the suspension of hostilities, and a memorandum, for a basis of peace, subject to the approval of the President.

That memorandum provided in substance:

"1. That the contending armies should remain *in statu quo* until after forty-eight hours' notice should be given by either commanding general to the other.

"2. The Confederate armies to be disbanded.

"3. The recognition by the Executive of the United States of the several State Governments on their officers and legislatures taking the oath prescribed by the Constitution of the United States, and where conflicting State Governments have resulted from the war, the legitimacy of all shall be sumbitted to the Supreme Court of the United States.

"4. The reëstablishment of all Federal Courts in the several States, with powers as defined by the Constitution and laws of Congress.

"5. The people and inhabitants of all States to be guaranteed, as far as the Executive can, their political right and franchise, as well as their rights of person and property, as defined by the Constitution of the United States, and of States respectively.

"6. The executive authority of the Government of the United States not to disturb any of the people by reason of the late war so long as they live in peace and quiet, abstain from acts of armed hostility, and obey laws in existence at any place of their residence.

"7. In general terms, war to cease, a general amnesty, so far as the executive power of the United States can command, or on condition of disbandment of the Confederate armies, and the distribution of arms

* Grant's Report, p. 40.

and resumption of peaceful pursuits by officers and men, as hitherto composing the said armies, not being fully empowered by our respective principals to fulfil these terms, we individually and officially pledge ourselves to promptly obtain necessary authority and to carry out the above programme.

"W. T. SHERMAN, Major General,
"Commanding the Army of the United States in North Carolina.
"J. E. JOHNSTON, General,
"Commanding Confederate States Army in North Carolina.

This basis of agreement was promptly repudiated by the President, every member of the Cabinet concurring. Indeed, the country was astounded, that General Sherman could have been induced to submit such propositions to the President for consideration. The Secretary of War immediately sent to General Grant, the following statement and order:

"WAR DEPARTMENT, WASHINGTON, April 21, 1865.

"GENERAL: The memorandum or basis agreed upon between General Sherman and General Johnston, having been submitted to the President, they are disapproved. You will give notice of the disapproval to General Sherman, and direct him to resume hostilities at the earliest moment.

"The instructions given to you by the late President, Abraham Lincoln, on the 3d of March, by my telegraph of that date addressed to you, express subtantially the views of President Andrew Johnson, and will be observed by General Sherman. A copy is herewith appended.

"The President desires that you proceed immediately to the headquarters of General Sherman and direct operations against the enemy. Yours truly,

"EDWIN M. STANTON, *Secretary of War.*

"To Lieutenant General GRANT."

The following is a copy of the President's instructions:

"WAR DEPARTMENT, WASHINGTON, March 3, 1865.

"To Lieutenant-General GRANT:

"The President directs me to say to you that he wishes you to have no conference with General Lee, unless it be for the capitulation of General Lee's army, or some minor and purely military matter. He wishes me to say that you are not to decide, discuss, or confer upon any political question. Such questions the President holds in his own

hands, and will submit them to no military conferences or conventions. Meantime you are to press to your utmost your military advantages.

"EDWIN M. STANTON, *Secretary of War.*"

The Secretary of War issued the following statement:

"This proceeding of General Sherman was disapproved for the following among other reasons:

"1. It was an exercise of authority not vested in General Sherman, and on its face shows that both he and Johnston knew that he (Sherman) had no authority to enter into such arrangement.

"2. It was a practical acknowledgment of the Rebel Government.

"3. It undertook to reëstablish the Rebel State Governments that had been overthrown at the sacrifice of many thousand loyal lives and an immense treasure, and placed arms and munitions of war in the hands of the rebels at their respective Capitals, which might be used as soon as the armies of the United States were disbanded, and used to conquer and subdue the loyal States.

"4. By the restoration of the rebel authority in their respective States, they would be enabled to reëstablish slavery.

"5. It might furnish a ground of responsibility by the Federal Government to pay the rebel debt, and certainly subjects loyal citizens of the Rebel States to the debt contracted by the rebels in the name of the State.

"6. It puts in dispute the existence of loyal State Governments and the new State of Western Virginia, which had been recognized by every department of the United States Government.

"7. It practically abolished the confiscation laws, and relieved rebels of every degree who had slaughtered our people, from all pains and penalties for their crimes.

"8. It gave terms that had been deliberately, repeatedly, and solemnly rejected by President Lincoln, and better terms than the rebels had ever asked in their most prosperous condition.

"9. It formed no basis of true and lasting peace, but relieved the rebels from the pressure of our victories, and left them in a condition to renew their effort to overthrow the United States Government, and subdue the loyal States, whenever their strength was recruited and an opportunity should offer."

Sherman's career, up to the time of this negotiation with Johnston, had been illustrious. He had rendered such signal

services to his country, he had added such honor to her arms, that he had earned the right to her most favorable construction to every act, and an indignant negative to any suggestion of improper motive.

Stanton, in expressing the disapproval of the Executive to the terms extended to Johnston, was emphatic, and decided, but not more so than was the general judgment of the country.

On the morning of the 24th, General Grant arrived at the camp of General Sherman, and communicated the disapproval of the President to the terms which had been agreed upon. Notice was immediately given of the termination of the truce, and a demand was made by Sherman for the surrender by Johnston of his army on the same terms as were given to Lee. A meeting between Sherman and Johnston was held on the 26th, which resulted in the surrender and disbandment of Johnston's army upon substantially the terms given to Lee.

The surrender of the other rebel forces quickly followed. General Howell Cobb surrendered to General Wilson at Macon, Georgia, on the 20th of April. On the 14th of April, General Dick Taylor surrendered all the forces east of the Mississippi to General Canby. On the 26th of May, General Kirby Smith surrendered his entire command to General Canby. With this last surrender, there was left no organized rebel forces anywhere within the territory of the United States.

On the 11th of May, Jefferson Davis, flying in disguise towards the sea, was captured at Irwinsville, Georgia.

The President, as has been stated, remained at City Point after the conference of the military leaders, to witness the execution of the plans then determined upon. As the operations against Lee's army progressed, he telegraphed to the Secretary of War, and through him to the exulting people of the loyal States, the joyous news of the brilliant successes of the army.

On the morning of the 4th of April, the Union troops took possession of the burning Capital of the Confederacy, and extinguished the fire, caused by the reckless carelessness

of the rebels. Among the first to enter Richmond, were the colored troops of General Weitzel's command. They marched into the city, singing their favorite song of "*John Brown.*" With drums beating, flags waving, bands playing, the Union column passed up the streets, flanked with the raging fire, and then, stacking arms, they went to work with a will to *save* Richmond from this conflagration. Fully one-third of this beautiful city was burned by a fire commenced by the Confederates setting fire to tobacco warehouses, Government foundries, and other property to prevent its falling into the hands of the Union army. On the day of its capture, President Lincoln, with his youngest son, Admiral Porter, and a few attendants, visited the city. His coming was unannounced, and he walked, leading his little boy by the hand, from the landing to the headquarters of General Weitzel, just vacated by Jefferson Davis. The news of his arrival spread through the city, and immediately the exulting negroes from all quarters came running to see their deliverer. Their enthusiasm was uncontrollable. They danced, sung, shouted, cried with joy. Their delight was mingled with gratitude; thanks to God, and to Lincoln, were mingled together in such a way as would have been deemed very irreverent, did not their earnestness, their sincerity, and their ignorance excuse them. Mr. Lincoln held a brief reception at the General's headquarters; drove about the city, and at 6 P. M., returned to City Point. On Thursday, he again visited Richmond, accompanied by Mrs. Lincoln, Vice President Johnson, and several Senators. On this occasion he was visited by prominent citizens of Richmond, anxious to know what would be the policy of the Government towards them. Without committing himself to anything specific, he easily satisfied them that his course would be generous, forgiving, and magnanimous. In one of these interviews, I have reason to believe the President stated his views of the necessity of National Union substantially as set forth in his first Inaugural Address, and more fully in his Message of December, 1862. It will be remembered that in that message, he said: "That portion of the earth's surface which is owned and inhabited by the

people of the United States, is well adapted to be the home of one National family; and it is not well adapted for two or more."*

Our fathers had organized this "national family" under the Constitution, and it became his especial duty, as President, to maintain and perpetuate it. This duty he had endeavored faithfully to discharge. The patriotism of the loyal people embraced every portion of the Republic. Their pride had long dwelt upon the idea of a vast Republic "whose dominion shall be also from the one sea to the other, and from the flood unto the world's end."†

The loyal people had fought the war through, because they would not give up this idea. The vast extent of the country and its future greatness and glory had long been to him a source of national pride. Virginians must learn to substitute in their affections the Nation for the State: they need not love Virginia less, but they must love the Republic more. The people have overcome the rebellion, not only because it was their duty under the Constitution, but also because they wanted the aid of the insurgent States to enable them to realize their great destiny. The South is an essential part of, and must help to build up the great Republic.

In reply to a suggestion from the Virginians, that it was difficult to love a country so vast, and that patriotism was always strongest among a people inhabiting a country with a small territory, as illustrated by the Scotch and the Swiss, where every person identifies his own home with his country, and the difficulty of embracing in one's affections a whole continent, the pride and glory of the Roman citizen in the Roman Empire was recalled. But perhaps a better answer to this may be found in Mr. Lincoln's message before referred to, in which he says, speaking of our whole country, "Its vast extent, and its variety of climate and productions, are of advantage, in this age, for one people, whatever they might have been in former ages. Steam, telegraphs, and intelligence have brought these to be an advantageous combination for one united people." The continent is "our

* Annual Message of December, 1862.
† 72 Psalm, v. 8.

national homestead." This, in all "its adaptations and aptitudes, demands union and abhors separation." Now that slavery is eradicated, we shall soon cease to quarrel, and become a homogeneous people. Virginia will again become a leading, possibly, the leading State, and before twenty years, she will thank Mr. Lincoln for the Emancipation Proclamation.

Mr. Lincoln returned to Washington on the 9th of April. He had scarcely reached the White House before the news of Lee's surrender reached him. No language can adequately describe the patriotic joy and deep gratitude to Almighty God which filled the heart of the President and the people. All the usual manifestations of delight, illuminations, processions, with banners and music were given; but beneath all these outward manifestations, there was a deep, solemn, religious feeling, that God had given us these great victories, and that He had in His Providence a great future for our country.

The last battle had been fought, the last victory won, the Union triumph was complete, the rebellion utterly crushed, and slavery overthrown; and now, though not in order in point of time, let us, before dismissing from these pages the Grand Army of the Republic, anticipate that final review of the troops of Grant and Sherman before they, having finished their work, retired to their homes among the people. This review was an event full of moral sublimity. The bronzed and scarred veterans who had survived the battle-fields of four years of active war, the hardy frames of those who had marched and fought their way from New England, and the Northwest, to New Orleans and Charleston; those who had withstood and repelled the terrific charges of the rebels at Gettysburg; those who had fought beneath and above the clouds at Lookout Mountain; who had taken Vicksburg, Atlanta, New Orleans, Savannah, Mobile, Petersburg, and Richmond; whose campaigns extended over half a continent; the triumphal entry of these heroes into the National Capital of the Republic which they had saved and redeemed, was deeply impressive. Triumphal arches, garlands, wreaths of flowers, evergreens, marked their pathway.

President and Cabinet, Governors and Senators, ladies, children, citizens, all united to express the nation's gratitude to those by whose heroism it had been saved.

But, there was one great shadow over the otherwise brilliant spectacle. Lincoln, their great-hearted chief, he whom all loved fondly to call their "Father Abraham;" he whose heart had been ever with them in the camp, and on the march, in the storm of battle, and in the hospital; he had been murdered, stung to death, by the fang of the expiring serpent which these soldiers had crushed. There were many thousands of these gallant men in blue, as they filed past the *White House*, whose weather-beaten faces were wet with tears of manly grief. How gladly, joyfully would they have given their lives to save his.

And now these grand armies were disbanded, and hastened to the homes which they had voluntarily left, to be welcomed by family and friends, and cheered and cherished for life by the thanks of a grateful people.

CHAPTER XXVIII.

COST OF THE WAR—LINCOLN'S "POLICY"—HIS ASSASSINATION—FUNERAL—THE GRIEF OF THE PEOPLE.

NUMBER OF TROOPS FURNISHED BY THE SEVERAL STATES—COST IN MEN AND MONEY OF THE WAR—COLORED TROOPS—LINCOLN'S "POLICY"—HIS VIEWS OF THE POWERS OF CONGRESS OVER THE REBELLIOUS STATES—NO RIGHT TO VOTE IN THE ELECTORAL COLLEGE—LOYALTY SHOULD BE THE BASIS OF RECONSTRUCTION—LINCOLN'S VIEWS OF NEGRO SUFFRAGE—FAITH MUST BE KEPT WITH THE NEGRO RACE—THE ASSASSINATION—FUNERAL—NATIONAL GRIEF.

THE military power of the rebellion was now crushed. Looking over the Republic from North to South, from East to West, it is difficult to realize fully the immense cost of this slaveholders' war. A great price, a terrible retribution had been visited upon the people, for the existence of slavery. Perhaps it is not extravagant to say, in the language of Mr. Lincoln's second inaugural, that "the war had continued, until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil had been sunk, and until every drop of blood drawn with the lash had been paid by another drawn with the sword."

With the war, the cause of the war disappeared. Some few dry statistics and considerations, will aid in the realization of the magnitude of the conflict. The population of the twenty-three loyal States, and which, during the war, constituted the United States, was 22,046,472. This includes Missouri, Kentucky, and Maryland, which furnished soldiers for the armies on both sides, and which had a population of

3,025,745; and, also, California and Oregon, on the Pacific, and so distant from the scene of conflict, that they contributed comparatively few men, leaving a population from which the soldiers were mainly taken, at 18,588,268. The population of the eleven seceding States was 9,103,333. The war was mainly fought by American citizens, although there were some German and Irish regiments, and many of Irish, German, Norwegian, and other nationalities, in the ranks of the regiments made up mainly of American birth. There was no large accession to the population by emigration during the war. The number of emigrants in 1860 was 153,000, and it decreased during the first two years of the war; and the increase in 1863 and 1864 was to fill up the vacancies in the ranks of laborers. The emigrant was not enrolled nor drafted into the military service. The whole number of Union soldiers mustered into service during the war, was 2,690,401—fourteen and a half per cent. of the whole population.* The number of deaths in battle, and

*The following table shows the number of troops furnished by each State, as reported to Congress by the War Department:

States.	Aggregate.	Aggregate redu'd to 3 yr's stan'd.
Maine	71,745	56,595
New Hampshire	34,605	30,827
Vermont	35,256	29,052
Massachusetts	151,785	123 844
Rhode Island	23,711	17,878
Connecticut	57,270	50,514
New York	455,568	380,980
New Jersey	79,511	55,785
Pennsylvania	366,326	267,558
Delaware	13,651	10,303
Maryland	49,730	40,692
West Virginia	30,003	27,653
District of Columbia	16,872	11,506
Ohio	317,133	239,976
Indiana	195,147	152,283
Illinois	258,217	212,694
Michigan	90,119	80,865
Wisconsin	96,118	78,985
Minnesota	25,034	19,675
Iowa	75,860	68,182
Missouri	108,773	86,192
Kentucky	78,540	70,348
Kansas	20,097	18,654
Total	2,653,662	2,129,041

from wounds, was 96,089; from disease, 184,331; total, 280,420, or about ten and a half per cent. This is according to the records of the War Department. The actual number is a little higher. Fifty-seven Generals died during the war; thirty-seven of them in battle or from wounds; twenty from disease. The cost of the war to the United States was $3,098,233,078. The States expended in bounties, &c., as estimated by committee of Congress, $500,000,000.

The call for troops made by the President in all amounted to 2,042,748, and the numbered obtained was 2,690,401.*

The whole number of colored troops enlisted into the military service during the war, was 178,975, and the losses these troops sustained during that period by sickness, wounds, killed in battle, and other casualties incident to war, was 68,178. The aggregate of colored population in the United States in 1860, was 4,449,201, of which 3,950,531 were slaves.† Under all the circumstances, the colored race furnished a fair proportion of soldiers.

It is certain, considering the desperate and despotic means resorted to by the Confederates to fill up the armies of the rebellion, that a much larger proportion of the people were forced into the military service, in the rebel, than in the loyal States. The number of rebel troops finally surrendered, was in round numbers, 175,000. The number of

*The following table shows the date of the several calls for troops by the President, the number required at each call, the period of service, and the number obtained. The table is compiled from data in the War Department:

Date of call.	Number called for.	Periods of service.	Numbers obtained.
April 15, 1861	75,000	3 mos	93,326
May and July, 1861	582,748	3 years	714,231
May and June, 1862		3 mos	15,007
July 2, 1862	300,000	3 years	431,958
August 4, 1862	300,000	9 mos	87,588
June 15, 1863	100,000	6 "	16,361
October 17, 1863	300,000	3 years	374,807
February 1, 1864	200,000	3 "	
March 14, 1864	200,000	3 "	284,021
April 23, 1864	85,000	100 days	83,652
July 18, 1864	500,000	1, 2 & 3 yrs	384,882
December 19, 1864	300,000	1, 2 & 3 yrs	204,563
Total	2,942,748		2,690,401

280,420 died in battle or hospital; 22,281 officers resigned; privates not allowed to resign.

†Census of 1860, p. 595.

prisoners in the hands of the National authorities, during the last year of the war, was 98,802. These were all sent to their homes by the United States.

The theatre of war was in the rebellious States. Their cities were besieged and captured; their territory desolated, and their people suffered all the evils of war at their own homes. The heroism of the Confederates was worthy of men who fought for liberty instead of slavery. The defence of Richmond required four years of fighting, and in all 700,000 men, before it was captured. In what modern war, has any fortress, city, or capital, made a defense more heroic and persistent?

This gigantic contest has been carried through to final success by a people previously absorbed in trade, and agriculture, and charged to have been enervated by wealth and prosperity. The American people, great in the war, were greater in their forbearance in the hour of victory. The supremacy of the law, of the civil power, had never been disregarded. The Republic comes out of the conflict with no security of civil liberty encroached upon, none of the guarantees of *Magna Charta* and the Constitution broken down. No military commander ever dreamed of subverting the supreme civil authority. The greatest captain of the war, rebuked those who urged him to be a candidate for the Presidency against Lincoln. All, military men not less than civilians, have recognized in the law and the Constitution, the sovereign of the Union. Even when the assassin struck down the Chief Magistrate, and it was known that conspirators were at the capital, seeking to destroy the high officials, the machinery of the Government went on without a jar; the Constitution and the laws were still supreme. The people exhibited as much moderation and humanity, as courage and persistence. The hour of victory, under the inspiration of Lincoln, was not the hour of vengeance, but of forgiveness. The war carried on by the Republic against slavery and rebellion, was a Christian war, conducted upon principles of Christian civilization.

It is this combination of martial and civic virtues, which inspire hopes that the people will be equal to the great duties

yet before them, and by the exhibition of which they have compelled their recognition by the candid world, as one of the great peoples of modern times.

And now came the grave and difficult work of building up the shattered fragments of the Republic; the broken columns of the temple must be reconstructed, with their foundations resting firmly upon liberty. To this work of reconstruction Mr. Lincoln now addressed himself. He was no theorist, but a practical statesman, looking ever to the wisest means, to secure the end. In justice to him, it must ever be borne in mind that he lived less than ten days after the surrender of Lee; not long enough to construct a policy. Much has been said in regard to his views on this subject, by his successor, and those who follow him. They have attempted to shield the "Johnson policy" so emphatically condemned by the loyal people of the United States, under the great name of Lincoln.

Let us see what are the facts. The efforts of Mr. Lincoln to restore certain rebellious States to their former relations to the Union were made in the midst of war, when he was seeking, by every possible means, to detach those States from the rebellion, and was anxious to secure the moral influence of the return to the Union of a former slaveholding and rebellious State, emancipated and loyal. He had not time before his death to develope any settled policy in regard to what securities and guarantees the safety of the Republic might require, before restoring to power those who had sought its overthrow. Philosophers and thinkers had speculated and written upon the subject, but Mr. Lincoln, as a statesman, a man of affairs, had not committed himself, because the subject had but just come before him as a practical question, at the time of his death. Yet it is interesting and instructive to learn his views as far as developed, and the indications of what his policy would have been had he lived; and at the hazard of repetition, I will recall his acts and declarations heretofore mentioned in this volume, and add such others as are within my knowledge, that the people may have before them the means of forming an intelligent judgment on the subject.

It will be conceded, that emancipation, the freedom of the colored race, was an indispensable condition to any plan of reconstruction which he would countenance. This was declared repeatedly in his messages, and in his instructions to Mr. Seward before the conference at Hampton Roads. Let us recall what he did and what he said, indicative of his opinions of the *status* or condition of the rebellious States, the powers of the Executive and Congress over them, and the wisest means by which they could be restored to their former relations.

Early in the conflict, he appointed Military or Provisional Governors over the rebellious States. In his first Annual Message of December, 1861, he recommended that Congress provide by law for the establishment of courts "for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of the Government, whether by voluntary return to its allegiance and order, or by the power of our arms." * He said to Congress, that he had been unwilling to go beyond the pressure of necessity in the unusual exercise of power, "but the *powers of Congress*, I suppose are adequate to the anomalous condition." He thus recommended Congress to legislate and make laws for the government of such portion of the insurgent States and Territories as might be under the control of the Government. In his Proclamation offering amnesty on certain conditions, and suggesting the mode of organizing loyal State Governments in the insurgent States, where the rebel State and Confederate Governments *de facto* had been overthrown and expelled, dated December 8, 1863, he says: "It is suggested as not improper, that in constructing a loyal State Government in any State, the name of the State, the *boundary*, the subdivision, the Constitution and the general code of laws, as before the rebellion, be maintained, subject to necessary modifications," etc. †

Referring in his Message to this recommendation, he says of it: "The suggestion as to maintaining the political framework of the States, on what is called reconstruction, is made

* See Message of December, 1861.

† See Message and copy of Proclamation, December, 1863.

in the hope that it will do good, without danger of harm. It will save labor and avoid confusion."

It will be observed that this suggestion in regard to the maintenence of the *boundaries and names* of the old States, is put exclusively upon the ground of convenience. As the hostile government was expelled by the military power from the seceding and belligerent States, and the territory which had been in rebellion was brought under National control, Mr. Lincoln, as President and Commander-in-Chief, governed that territory. It has been seen that, as early as his first annual Message, "unwilling to go beyond the pressure of necessity, in the unusual exercise of power," he asked Congress to relieve him by passing laws establishing courts in such conquered territory.

Immediately after the rebel power was subjugated and overthrown in any portion of the belligerent territory, Mr. Lincoln recognized it as his duty, as the Executive, to preserve the peace, punish crime, prevent anarchy, and see that justice was done to all. This he did, first through the military power, then, he appointed Provisional Governors, who, as the Union sentiment developed itself, initiated proceedings to organize civil Government under the direction of the Executive, as in Tennessee, Arkansas, and Louisiana. The civil Government thus organized, was always treated by Mr. Lincoln as a permissive, subordinate Government, until it should be sanctioned by Congress. The rebel State Governments he regarded as public enemies to be overthrown, and an entirely new Government, Republican in form, was to be established in place of them. In initiatory steps to organize new, loyal, Republican State Governments in place of those expelled and overthrown, he, as the Executive, prescribed the qualifications of voters, and required that all participating in the preliminary proceedings should be loyal to the Union, and should support the acts of Congress, and the Proclamation emancipating the slaves. Mr. Lincoln always treated these proceedings as preliminary, and as requiring the action of Congress, before the new State Government would be entitled to resume its former relations, and be entitled to

representation in Congress and to vote in the electoral college.

The evidence of this will be more fully presented hereafter. Without going more into detail, it may be asserted without fear of successful contradiction, that Mr. Lincoln, as President, treated the Confederates as public enemies; that not only were all the acts of the Confederate Government so called, but those also of the State Governments of the States in rebellion, regarded and treated by him as void, and these organizations were to be subjugated and overthrown; and the territory from which they were expelled by arms, was to be governed for the time being by martial law; but he was always anxious to bring back such territory, freed from the curse of slavery, to its "proper practical relations to the Union." In a letter to General Banks in regard to Louisiana, the President said: "If Louisiana sends members to Congress, their admission to their seats will depend, as you know upon the respective Houses of Congress and not upon the Executive."

In his Proclamation of July 8, 1864, Mr. Lincoln presented the bill which had passed Congress, and which for reasons therein stated he did not sign, "as a very proper plan (of reconstruction,) for the loyal people of any State choosing to adopt it," and announcing his intention under certain circumstances, to adopt and execute the plan therein set forth. * This bill, it will be remembered, was that of Henry Winter Davis, reported from the Reconstruction Committee of the House, and the provisions of which have been heretofore given.

After the conference at Hampton Roads, one of the rebel Commissioners, Mr. Hunter, formerly a Senator of the United States, and before the rebellion a man of high personal character, in giving a semi-official statement of these negotiations, said: "whenever we go into the Union as a conquered people, *we give up the laws of the United States, and must take such as they choose to make for us, and we go in without representation in making those laws; for Mr. Lincoln told us, told me,*

* Proclamation of July 8, 1864.

that while we could send Representatives to the Yankee Congress, *yet* it rested with that Congress to say whether they would receive them or not."*

The Confederates came under the National authority as a "*conquered people*," they submitted without terms, except as to the personal security of those who surrendered to Grant and Sherman. This speech of Mr. Hunter establishes that they came with knowledge that they must take such laws as the Government they had sought to overthrow should prescribe; and "that they must come in without Representation in making those laws;" and that Mr. Lincoln notified them that it would be for Congress to determine whether their Representatives would be received. This is in strict accordance with the statements contained in Mr. Lincoln's carefully prepared speech, made on the evening of the 11th of April, 1865. In that speech he said, alluding to his Annual Message of 1863: "I distinctly protested that the Executive claimed no right to say *when* or *whether* members should be admitted to seats in Congress from such States." A member of the Cabinet, (understood to be Mr. Seward,) said he "suggested that I should omit the protest against my own power in regard to the admission of members of Congress," but he would not, and did not omit it. These statements establish the fact that in his judgment, whether the people of a State which had been in rebellion were in a condition to be represented in Congress, and take part in the Government, and upon what terms they should be represented, was a question for the determination of Congress.

Upon the vital question, when States whose people had been in rebellion, would be entitled to vote in the Electoral College, a right correlative with the right of representation in Congress, Mr. Lincoln was equally explicit. He said in a Message dated February 8, 1865: "The Joint Resolution declaring certain States not entitled to representation in the Electoral College etc.," has been signed by the Executive. But he went on to say, that to the two Houses of Congress belonged exclusively the right "to exclude from counting

* The Speech of Mr. Hunter, making this report, will be found in Appleton's Encyclopedia for 1865, p. 191.

all electoral votes deemed by them to be illegal." This resolution has been set forth in these pages, and it excluded from the Electoral College of 1864, the votes of the eleven States in rebellion.

Mr. Lincoln concurred with Congress, that they ought not to vote, for he signed the joint resolution, but he at the same time declared Congress to have exclusive jurisdiction over the subject.*

I will now proceed to exhibit Mr. Lincoln's views upon another most important practical question, in regard to reconstruction—namely, upon what basis should the reconstructed States be built? Should loyalty be the basis of reconstruction? Should the foundation of the reconstructed States be the Union men, or the disloyal? In all his efforts to reconstruct, Mr. Lincoln built upon the loyal Union men, excluding certain classes of disloyal both from voting and holding office. In his message of December, 1863, he says: "There must be a test, so as to build only from the sound." He further says: "An attempt to guarantee a revived State Government, constructed in whole, or in preponderating part from the very element against whose hostility and violence it is to be protected, is simply absurd."† And so, in all his building, he made loyal men, union men, the foundation of political power; pardoned rebels, and sincerely repentant rebels, who took the amnesty oath, might vote, none others. He appointed none but Union men to office. He took none of his provisional Governors from the rebel ranks. No man

*The following is the message referred to: "To the Honorable the Senate and House of Representatives: The joint resolution entitled, 'Joint resolution declaring certain States not entitled to representation in the Electoral College,' has been signed by the Executive, in deference to the view of Congress implied in its passage and presentation to him. In his own view, however, the two Houses of Congress, convened under the twelfth article of the Constitution, have complete power to exclude from counting all electoral votes deemed by them to be illegal; and it is not competent for the Executive to defeat or obstruct that power by a veto, as would be the case if his action were at all essential in the matter. He disclaims all right of the Executive to interfere in any way in the matter of canvassing or counting electoral votes; and he also disclaims that, by signing said resolution, he has expressed any opinion on the recitals of the preamble, or any judgment of his own upon the subject of the resolution.

"ABRAHAM LINCOLN.

"Executive Mansion, February 8th, 1865."

From the Congressional Globe, Second Session, Thirty-eighth Congress, p. 711.

†Message of 1863.

ever received office from him, who could not take the "*Iron clad oath.*" He did not say: "*Rebels must take the back seats,*" but he placed loyal men in the front seats.

Mr. Lincoln was all kindness, generosity, and magnanimity, to sincerely repentant rebels; he harbored no thought of vengeance, but to the brave, persecuted, cruelly abused Union men of the rebellious States, his heart yearned with affection. Those who, in times of trial, had stood firm, and maintained their integrity, these were the men to be entrusted with power, and clothed with authority in the rebellious States. These were the men he ever sought for to fill all places of honor, emolument, and power. Such was the "reconstruction policy" of Abraham Lincoln.

What were his views as to the position the loyal negro should occupy in the reconstructed Republic? He desired that "the intelligent, and those who have fought gallantly in our ranks of the colored men," should have the privilege of voting.*

In his last speech, before quoted from, made April 11, speaking of negro suffrage, he says: "I would myself prefer that suffrage were now conferred upon the very intelligent, and on those who served our cause as soldiers." The following extract from a letter to General Wadsworth is in harmony with the foregoing: "I cannot see if universal amnesty is granted, how, under the circumstances, I can avoid exacting in return, universal suffrage, or at least suffrage on the basis of intelligence and military service." * * "Regarding it a religious duty, as the nation's guardian of these people who have so heroically vindicated their manhood on the battle-field, when in assisting to save the life of the Republic, they have demonstrated in blood their right to the ballot, which is but the humane protection of the flag they have so fearlessly defended."†

*Letter to Governor Hahn, March 12, 1864.

†The following is an extract from the Wadsworth letter. I have never seen the authenticity of this letter denied, and it bears internal evidence of being genuine:

"NEW YORK, September 25.

"The *Southern Advocate*, of September 12, publishes the following extracts from the late President Lincoln's letter to General Wadsworth, who fell at the battle of the Wilderness. The letter, which is of a private character, is to be sent to General Wadsworth's family. It shows that Mr. Lincoln, who desired the bestowal of the

There is further evidence that Mr. Lincoln, had he lived, would have endeavored to secure suffrage to colored men, at least to the intelligent, and to those who had exposed their lives for their country by serving in the Union army.

I venture to place on record the opinion, based in part upon evidence which I cannot now make public, that had he lived, Mr. Lincoln's policy would have embraced general, not universal amnesty and negro suffrage.* From this general amnesty he would, I believe, have excepted certain leaders of the rebellion whose conduct had been peculiarly and flagrantly criminal, and "all who had been engaged in any way in maltreating colored persons, or white persons in charge of such, otherwise than lawfully as prisoners of war."†

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elective franchise upon the blacks, was also at an early day in favor of granting universal amnesty. Mr. Lincoln says:

"'You desire to know, in the event of our complete success in the field, the same being followed by a loyal and cheerful submission on the part of the South, if universal amnesty should not be accompanied with universal suffrage. Now, since you know my private inclinations as to what terms should be granted to the South in the contingency mentioned, I will here add that, if our success should thus be realized, followed by such desired results, I cannot see, if universal amnesty is granted, how, under the circumstances, I can avoid exacting in return universal suffrage, or, at least, suffrage on the basis of intelligence and military service. How to better the condition of the colored race has long been a study which has attracted my serious and careful attention; hence I think I am clear and decided as to what course I shall pursue in the premises, regarding it as a religious duty, as the nation's guardian of these people who have so heroically vindicated their manhood on the battle field, where, in assisting to save the life of the Republic, they have demonstrated their right to the ballot, which is but the humane protection of the flag they have so fearlessly defended.'"

* The following note from the Hon. Charles A. Dana, Assistant Secretary of War, during the last two years of Mr. Lincoln's administration, will indicate a portion of the evidence on this subject:

"NEW YORK, November 13, 1866.

"*My Dear Sir:* In a speech here before the election, I stated that at the time of Mr. Lincoln's death, a printed paper was under consideration in the Cabinet providing ways and means for restoring State Government in Virginia. In that paper it was stated that all loyal men, *white or black*, were to be called upon to vote in holding a State Convention, while all rebels were to be excluded. I said that I could not affirm that Mr. Lincoln had definitively adopted that policy with respect to black suffrage, but that I knew his mind was tending to it, and that I was morally certain he would have finally adhered to it. After Mr. Johnson's accession, all the provisions of the paper were incorporated in the Presidential Proclamation respecting the re-organization of State Governments, with the single exception of this one making all loyal men voters, whether white or black. * * * * *

"Yours, very truly,

"CHARLES A. DANA.

"Hon. ISAAC N. ARNOLD."

†See President Lincoln's Amnesty Proclamation of December 8, 1863.

There was no point in regard to which Mr. Lincoln was more sensitive, nothing about which he was more determined than that the National faith, pledged to the negro, that his liberty, his person, and his property should be protected, should be scrupulously kept. Let us recall some of his words on this subject.

When, as Commander-in-Chief, he declared the slaves of the rebel States free, he accompanied the decree with the pledge "that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain their freedom." In his Message of December 8, 1863, after referring to the Emancipation Proclamation, and the laws of Congress, giving freedom to colored persons, and authorizing their employment as soldiers, he says: "These laws and proclamations were enacted and put forth for the purpose of aiding in the suppression of the rebellion. To give them their fullest effect, there had to be a pledge for their maintenance. In my judgment, they have aided, and will further aid the cause for which they were intended. To now abandon them, would be not only to relinquish a lever of power, but would also be a cruel and *astounding breach of faith.*" Therefore, he insisted that all repentant rebels, before amnesty was extended to them, should swear to support these very laws and proclamations; and he solemnly declared that he never would return to slavery any person who had been made free by that proclamation or by those laws. "Negroes," said he, in his letter to the Illinois Convention, "like other people, act upon motives. Why should they do anything for us, if we will do nothing for them. If they stake their lives for us, they must be prompted by the strongest motives, even by the promise of freedom. And the promise being made, must be kept." Mr. Lincoln was a man of great evenness of temper, rarely excited to anger; personal abuse and indignity did not disturb him, but wrong, injustice, and bad faith made him indignant. When, therefore, some one suggested to him that he might placate the rebel masters and secure peace, by an abandonment of the freedmen, he indignantly exclaimed, "*Should I do so, I should deserve to be damned in time and in eternity.*"

These declarations might be extended indefinitely. But there are enough; the great heart of Lincoln was above the prejudice of color, and when he saw a black soldier, with a brave, loyal heart, maimed, with an arm or a leg shot off in battle, his heart yearned towards him all the more, because he was of a despised race. Had he lived, no rebel outrage would have been committed with impunity upon a Union soldier, however black his skin; no humble school house for freedmen's children would have been burned by mobs of former slaveholders; no churches where colored people assembled to thank God for sending them their great Liberator, "Father Abraham," would have been burned by pardoned rebels. The army would have been used, if necessary, for the protection of loyal men, without regard to color, and the Republic would have been made the loyal man's safe and secure "*Castle.*" Such would have been "*the policy*" of Abraham Lincoln. Let those who have broken faith with the negro, and been treacherous to the loyal, never insult the memory of Lincoln, by endeavoring to screen such perfidy under his honored name. For the rest, we know how hard it was for him to punish, how ready to forgive, but there was one offense he never would forgive, the violation of the Nation's faith to the negro.

As the fortunes of the Confederates became more dark and gloomy, there were those among them disposed to resort to measures still more black and desperate. Indeed, after the Presidential election of 1864, at which the people had so emphatically declared their determination "to prosecute the war with the utmost possible vigor to the complete suppression of the rebellion," a reckless and fiendish desperation, on the part of the slaveholders, became manifest. Dark and mysterious hints, and intimations of schemes, so infernal in their character as to be regarded as utterly incredible by the loyal people, were brought to light. The people of the United States have ever been esteemed a bold, manly race, scorning treachery, cruelty, and all the malignant practices of some of the more weak and cowardly races. There prevailed a general love of "*fair play;*" and arson and assassination were unknown in the American history, and were

regarded as so antagonistic to American character, that nearly all refused to believe any citizen of the United States could be found base enough to perpetrate these cowardly crimes. When, therefore, threats of the conflagration of cities, the spread of disease and pestilence by sending into crowded towns pestilential poison, and assassination, were heard, and conspiracies to effect these objects were discovered, the charges were repudiated as incredible; and it was believed that no American could be found sufficiently infernal to commit this class of crimes. But the result proved that those who thus reasoned, did not appreciate the demoralization and degeneration produced by slavery. In the autumn of 1864, Howell Cobb Kennedy, *alias* Robert C. Kennedy, and others, undertook, at the instance of the Confederates, to execute a plan of wholesale arson and murder, by setting fire to hotels and places of public resort, crowded with unsuspecting guests, including women and children, in the city of New York. A man by the name of Beall, holding a commission from the rebel authorities at Richmond, acting with others, officers of the army of the insurgents, was guilty of attempting to throw trains of cars, filled with peaceable citizens, off the track. For these and other offenses, these men were tried, found guilty, and sentenced to be hung.* A party, bearing commissions from the insurgent government, on the 12th of October, 1864, crept in disguise across the Canadian frontier, into the peaceful village of St. Albans, in Vermont, robbed the banks and murdered some of the citizens.

The men guilty of these outrages were now to *climax* their crimes, and to fix forever upon the "lost cause" of Slavery and Rebellion, the infamy of assassinating the purest, kindest, most forgiving ruler in all history; a magistrate, capable of the sublime, the Godlike prayer, if they had given him time to pray, "Father, forgive them, for they know not what they do."

It has already been stated that Mr. Lincoln returned from City Point to Washington on the evening of the 9th of April. From this time until the 14th were memorable days.

*See Trial and Sentence of Beall and Kennedy. McPherson's Pol. History, pp. 552, 553.

The surrender of the rebel armies followed each other in rapid succession; and the joy of the people was inexpressible. The whole country—every city, town, village, neighborhood, —every house was gay with the Union flag, now worshiped by every loyal heart. Every house was illuminated, bells were rung, salutes fired, and every manifestation of joy and gratitude to God. Mr. Lincoln was full of hope and happiness. The clouds were everywhere breaking away, and four years of sunny peace and comparative quiet, of happiness, of the consciousness of great duties well and successfully discharged, were rising before him. On the morning of the 14th of April, his son Robert, just returned from witnessing, as an aid on the staff of Gen. Grant, the surrender of Lee, breakfasted with the President. It was a happy hour the father thus passed with his son, listening to details of the event. After breakfast he spent nearly an hour with Speaker Colfax, conversing in regard to the future, and explaining how he hoped to heal the wounds of the war, and build up on a sure foundation the Great Republic. Then he received and exchanged congratulations with a party of his old Illinois friends. Between 11 and 12 o'clock, there was a Cabinet meeting, attended by Gen. Grant, at which all remarked the hopeful and joyous spirit of the President; and all bear testimony, that in this hour of victory, he had no thought of vengeance; but his mind was dwelling upon the best means of winning back to sincere loyalty, those who had been making war upon the country. After the Cabinet meeting, he drove out with Mrs. Lincoln, expressing a preference to ride without other company, evidently with a heart full of joy, wishing to commune alone with her whose life had been made anxious by his great duties. He conversed now of happier days. Said he to Mrs. Lincoln, "We have had a hard time together since we came to Washington, but now the war is over, and with God's blessing upon us, we may hope for four years of happiness, and then we will go back to Illinois, and pass the remainder of our lives in peace.'

In the early evening he had another interview with Colfax, and George Ashmun, who had presided at the Chicago Convention, which nominated him for the Presidency. In

the midst of the rejoicings at the capital, it had been announced by the press that the President and General Grant would attend Ford's Theatre that evening. General Grant had an engagement which prevented him from attending, and Mr. Lincoln, although reluctant on that occasion to attend, was persuaded to go, that the people might not be disappointed. Mr. Colfax walked from the parlor to the door with the President, and at the door bade him "*Good-bye*," declining his invitation to accompany him to the theatre.

Mr. Colfax says:*

"* * * My mind has since been tortured with regrets that I had not accompanied him. If the knife which the assassin had intended for Grant had not been wasted, as it possibly would not have been, on one of so much less importance in our national affairs, perchance a sudden backward look at that eventful instant might have saved that life, so incalculably precious to wife and children and country; or, failing in that, might have hindered or prevented the escape of his murderer. The willingness of any man to endanger his life for another's is so much doubted that I scarcely dare to say how willingly I would have risked my own to preserve his, of such priceless value to us all. But if you can realize that it is sweet to die for one's country, as so many scores of thousands, from every State and county and hamlet have proved in the years that are past, you can imagine the consolation there would be to any one, even in his expiring hours, to feel that he had saved the land from a funeral gloom which, but a few days ago, settled down upon it from ocean to ocean and from capitol to cabin, at the loss of one for whom even a hecatomb of victims could not atone."

Mr. and Mrs. Lincoln and party reached the theatre at about nine o'clock, and found it crowded to its utmost capacity. He was received, as he always was, with the most enthusiastic greetings. In the midst of the play, a pistol shot was heard, and a man, with a bloody dagger in his hand, leaped from the President's box to the stage, exclaiming: "*Sic semper tyrannis*"—"*The South is avenged*"—and then ran behind the scenes. The President had been shot

* See his speech at Chicago, April 30, 1865.

from behind, and the assassin had escaped. Major Rathbone, who had accompanied the President, seized the assassin as he rushed past him, but the murderer, cutting him severely in the arm with his dagger, broke from him. The President fell forward as he was shot, into the arms of his wife, and on the arrival of the surgeons, it was found the ball had entered the brain, creating a mortal wound. He was insensible from the beginning, and lingering until a few minutes past seven, on the morning of the 15th, expired. The rebel leaders had used the hand of a miserable, half-crazed play-actor, by the name of John Wilkes Booth, to assassinate the Chief Magistrate of the nation, which their swords could not overthrow. Booth did not live to betray the men who set him on; had he lived, a man who could commit an act so cowardly, would have been likely to have betrayed his employers; but the exulting words of the fiend, as he leaped upon the stage, betrayed the source from which he derived his hellish inspiration. Alas, that Virginia's proud old motto should have been thus desecrated!

On the same night the Secretary of State, who was confined to his house by severe injuries, received by being thrown from his carriage, was attacked in his bed, terribly cut, and stabbed, and his life was saved only by the heroic efforts of his sons and daughter, and an assistant nurse, whose name was Robinson. Mr. Frederick Seward, his son, in attempting to prevent the entrance of the ruffian into his father's sick room, was struck by a pistol on the head, and his skull fractured, and he rendered insensible. The assassin of Mr. Seward was an accomplice of Booth, who went by the name of Payne, but whose real name was Powell; and he had been a Confederate soldier.

Booth, in attempting to escape, was shot on the 21st of April, by a soldier named Boston Corbett. Some of his accomplices were arrested, tried, and hung. But all of these were but the wretched tools of the conspirators. It yet remains uncertain whether the conspirators themselves will ever in this world be dragged to light and punishment.

Andrew Johnson, the Vice President, was inaugurated as President on the morning of Mr. Lincoln's death. Afterwards, and after investigation, he issued a proclamation,

reciting that it appeared from evidence in the Bureau of Military Justice, that the murder of Abraham Lincoln, and the attempted assassination of Mr. Seward, had been procured by Jefferson Davis, and others; and, in behalf of the Government, he offered one hundred thousand dollars reward for their capture.*

Whether Jefferson Davis, and the other leading rebels named in the proclamation are really guilty, or whether, if guilty, there is sufficient evidence to establish that guilt, as no trial has yet been had, I will express no opinion. That his assassination was the subject of frequent remark among the slaveholders and rebel leaders, is well known.

Mr. Lincoln had often been threatened with assassination, and his friends had long felt great anxiety on the subject, but they were never able to induce him to take precaution. He walked to and from the War, Navy, State, and Treasury Departments at all hours, unattended; drove or rode o

*The following is a copy of the Proclamation:

"BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

"A PROCLAMATION.

"Whereas, it appears from evidence in the Bureau of Military Justice that the atrocious murder of the late President, Abraham Lincoln, and the attempted assassination of the Honorable William H. Seward, Secretary of State, were incited, concerted, and procured by and between Jefferson Davis, late of Richmond, Virginia, and Jacob Thompson, Clement C. Clay, Beverly Tucker, George N. Saunders, William C. Cleary, and other rebels and traitors against the Government of the United States, harbored in Canada:

"Now, therefore, to the end that justice may be done, I, Andrew Johnson, President of the United States, do offer and promise for the arrest of said persons, or either of them, within the limits of the United States, so that they can be brought to trial, the following rewards:

"One Hundred Thousand Dollars for the arrest of Jefferson Davis.

"Twenty-five Thousand Dollars for the arrest of Clement C. Clay.

"Twenty-five Thousand Dollars for the arrest of Jacob Thompson, late of Mississippi.

"Twenty-five Thousand Dollars for the arrest of George N. Saunders.

"Twenty-five Thousand Dollars for the arrest of Beverly Tucker.

"Ten Thousand Dollars for the arrest of William C. Cleary, late clerk of Clement C. Clay.

"The Provost Marshal General of the United States is directed to cause a description of said persons, with notice of the above rewards, to be published.

"In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington, this second day of May, in the year of our Lord one thousand eight hundred and sixty-five, and of the independence of the United States of America the eighty-fifth.

[L. S.]

"ANDREW JOHNSON.

"By the President:

"W. HUNTER, *Acting Secretary of State.*"

horseback to his summer residence at the Soldiers' Home, often at night and alone. Mr. Colfax, in the speech at Chicago already quoted from, makes the following statement on this subject:

"No one could ever convince the President that he was in danger of violent death. Judging others by himself, he could not realize that any one could seek his blood. Or he may have believed, as Napoleon wrote to Jerome, that no public man could effectually shield himself from the danger of assassination. Easier of access to the public at large than had been any of his predecessors; admitting his bitterest enemies to his reception-room alone; restive under the cavalry escort which Secretary Stanton insisted should accompany him last summer in his daily journeys between the White House and his summer residence at the Soldiers' Home, several miles from Washington, at a time, too, as since ascertained in the details of this long-organized plot discovered since his death, when it was intended to gag and handcuff him and to carry him to the rebel capital as a hostage for their recognition; sometimes escaping from their escort by anticipating their usual hour of attendance; walking about the grounds unattended; he could not be persuaded that he run any risk whatever. Being at City Point after the evacuation of Richmond, he determined to go thither, not from idle curosity, but to see if he could not do something to stop the effusion of blood and hasten the peace for which he longed. The ever-watchful Secretary of War, hearing of it, implored him by telegraph not to go, and warned him that some lurking assassin might take his life. But armed with his good intentions—alas! how feeble a shield they proved against the death-blow afterwards—he went, walking fearlessly and carelessly through the streets, met and conferred with a rebel leader who had remained there, and when he returned to City Point, telegraphed to his faithful friend and constitutional adviser, who till then had feared as we all did at that time for his life:

"'I received your despatch last night, went to Richmond this morning, and have just returned.

"'ABRAHAM LINCOLN.'

"When I told him, on that last night, how uneasy all had been at his going, he replied, pleasantly and with a smile, (I quote his exact words,) 'Why, if any one else had been President and gone to Richmond, I would have been alarmed too; but I was not scared about myself a bit.'

"If any of you have ever been at Washington, you will remember the foot-path lined and embowered with trees leading from the back

door of the War Department to the White House. One night, and but recently too, when, in his anxiety for news from the army, he had been with the Secretary in the telegraph office of the Department, he was about starting home at a late hour by this short route, Mr. Stanton stopped him and said, 'You ought not to go that way; it is dangerous for you even in the daytime, but worse at night.' Mr. Lincoln replied, 'I don't believe there's *any* danger there, day or night.' Mr. Stanton responded solemnly, 'Well, Mr. President, you shall not be killed returning that dark way from my Department while I am in it; you *must* let me take you round by the avenue in my carriage.' And Mr. Lincoln, joking the Secretary on his imperious military orders and his needless alarm on his account, as he called it, entered his carriage, and was driven by the well-lighted avenue to the White House."

The terrible news of the death of Lincoln was, on the morning of the 15th, borne by telegraph to every portion of the Republic. Coming, as it did, in the midst of universal joy, no language can picture the horror and the grief of the American people on its reception. A whole people were in tears.

Persons who had not heard the news, coming into crowded cities were struck with the strange aspect of the people. All business was suspended, gloom, sadness, grief, sat upon every face. Strangers who had never seen the good President, women, and children, and strong men, wept. The flag, which had everywhere, from every spire and mast-head, roof, and tree, and public building, been floating in glorious triumph, was now lowered; as the hours of that dreary 15th of April passed on, the people, by a common impulse, each family by itself, commenced dressing their houses and the public buildings in mourning, and before night the whole nation was shrouded in black.

There were no classes of people in the Republic whose grief was more demonstrative than that of the soldiers and the freedmen. The vast armies, not yet disbanded, looked upon Lincoln as their father. They knew his heart had followed them in all their campaigns and marches and battles. Grief and vengeance filled their hearts. But the poor negroes everywhere wept and sobbed over a loss which they instinctively felt was to them irreparable. On the Sunday following

his death, the whole people gathered to their places of public worship and mingled their tears together over a bereavement which every one felt like the loss of a father or a brother. The remains of the President were taken to the White House. On the 17th, on Monday, a meeting of the members of Congress then in Washington, was held at the Capitol, to make arrangements for the funeral. This meeting named a committee of one member from each State and Territory, and the whole Congressional delegation from Illinois, as a Congressional Committee, to attend the remains of Mr. Lincoln to their final resting place in Illinois. Senator Sumner and others desired that his body should be placed under the dome of the Capitol, at Washington. It was stated that a vault had been prepared there for the remains of General Washington, but had never been used, because the Washington family and Virginia desired that his body should remain in the family vault at Mt. Vernon. It was said it would be peculiarly appropriate for the remains of Lincoln to be deposited under the dome of the Capitol of the Republic he had saved and redeemed. The family of Mr. Lincoln I have reason to believe would have consented to this, but Governor Oglesby, Senator Yates, and others from Illinois, were very urgent that his remains should be taken to his old home at Springfield, and it was finally so decided.

The funeral took place on Wednesday, the 19th. The services were held in the East Room. It was a bright, genial day—typical of the kind and genial nature of him whom a nation was so deeply mourning.

This was the third funeral which had taken place at the White House during its occupation by the family of Mr. Lincoln. First, that of Colonel Ellsworth, at which the President was among the most grieved of the mourners, then that of his son, Willie, and now the President himself.

The funeral services were very solemn and touching. They were attended by Mr. Lincoln's successor, the Cabinet, the Chief Justice and his Associates, the Senators and Members of Congress, General Grant and Admiral Farragut, and a long list of military and naval officers, the Diplomatic

Corps, the Governors of the States, a large body of clergy, and distinguished citizens from every portion of the Republic.

After the ceremonies at the White House, the body was taken to the Capitol, and placed in the Rotunda, beneath the Statue of Liberty, and guarded by sad and weeping soldiers. The coffin was covered with a profusion of sweet spring flowers, the face was exposed to sight, and thousands came to take a last look before the procession should start for its destination on the far-off prairies. His features were, as in life, gentle, placid and kind. They seemed, even in death, to express the Godlike sentiments he had uttered from the steps of the Capitol on the day of his inauguration. As they looked upon that face, all felt that the rebels had killed their best friend.

While these rites were going on at the Capital, funeral services were had everywhere throughout the land. The whole Nation suspended business, and every tongue and every pen was speaking of the Nation's loss, and of him of whom every heart was full.

The remains of the President, and those of his beloved son, Willie Lincoln, were then taken to the depot, and placed in the funeral car prepared to receive them.

Non-commissioned officers of the Veteran Reserve Corps were detailed to act as a body-guard, to attend the remains to their last resting place. It was arranged that Major Generals of the army should attend the body, and keep guard continually, so that at all times, during the journey, the coffin should be under their special guardianship. It was ordered that the body, with those who followed it, the guard and attendants, from the Capital, to the old home of the President at Springfield, Illinois, should take nearly the same route Mr. Lincoln had taken when he came from Illinois to assume the Presidency, thus giving the people an opportunity to show their respect and reverence. The funeral procession left Washington on Friday, the 21st, and was to stop at Baltimore, Harrisburg, Philadelphia, New York, Albany, Buffalo, Cleveland, Columbus, Indianapolis, Chicago; thence to Springfield. Thus, traversing the States

of Maryland, Pennsylvania, New Jersey, New York, Ohio, Indiana and Illinois.

And now this long pilgrimage of sorrow, traversing half the continent, began. The people of every State, city, town, and hamlet, came with uncovered heads, with streaming eyes, with their offerings of wreaths and flowers, to witness the passing train. It is impossible to describe the scenes. Minute guns, the tolling of bells, music, requiems, dirges, military and civic displays, draped flags, black, covering every public building and private house, everywhere indicated the pious desire of the people to do honor to the dead. Two thousand miles, along which every house was draped in black, and from which, everywhere, hung the national colors in mourning. The funeral ceremonies at Baltimore, were peculiarly impressive. Nowhere were the manifestations of grief more universal; but the sorrow of the negroes, who thronged the streets in thousands, and hung like a dark fringe upon the long procession, was especially impressive. Their coarse, homely features were convulsed with a grief which they could not control. Their emotional natures were excited by the scene, and by each other, until sobs and cries, and tears rolling down their black faces, told how deeply they felt their loss. As the train passed slowly through the city of York, Pennsylvania, it paused, and there came, with mournful music, a procession of young ladies with a wreath of flowers which was laid reverently upon the coffin, and then, with no words, but the eloquence of deep silence, the train passed slowly on; and thence on to Harrisburg; and thence to Philadelphia, where the remains were to lay in state in the old Independence Hall. A half million of people were in the streets, to do honor to all that was left of him, who, in that same Hall four years before, had declared that he would sooner die, sooner be assassinated, than give up the principles of the Declaration of Independence. He *had* been assassinated because he would not give them up. All felt, when the remains were placed in that historic Hall, surrounded by the memories of the great men of the past, whose portraits, from the walls, looked down upon the scene, that a peer of the best and greatest of the revolutionary

worthies was now added to the list of those who had served the Republic. The floral decorations of the Hall were peculiarly beautiful. An immense cross, terminated by an anchor, made of white camelias, stood at the head of the coffin; circular wreaths, anchors, crosses, and pure white flowers, everywhere contrasted with evergreens. The head of the coffin was placed near the old bell, now broken and preserved as a relic, which rang out the joyous peal which announced the passage of the Declaration of Independence. There it stood, bearing, conspicuously, the words, "*Proclaim liberty throughout the land to all the inhabitants thereof.*" Lincoln had done this. And, because he had thus proclaimed, the slaveholders had murdered him!

During Saturday night of the 22nd, and the Sunday following, bands of music were stationed in the belfry of the Hall, and played solemn dirges and hymns over the departed.

The procession reached New York on the 24th, and remained until Tuesday, the 25th. The whole city was draped in mourning; on the day of the procession, its great thoroughfare, Broadway, was absolutely full, from the Battery to Central Park. Miles of flags hung out, all draped in black; each house hung with dark emblems from roof to pavement; mottoes everywhere expressive of the most profound sorrow and reverence. Among the incidents here, was the visit to the remains by the venerable and now broken frame of the aged soldier, General Scott, who came to look his last upon the features of the President whose first inauguration he had aided to secure.

As the train passed up along the banks of the Hudson towards Albany, through all the towns and villages of this interesting region, every possible demonstration of grief and respect was manifested. In one of the towns near the Highlands, a tableaux of touching beauty had been arranged. As the train slowly approached the place, just as the sun was sinking behind the Catskills, it was discovered that thousands of the country people had gathered around an open space, near the banks of the river. This space was carpeted and draped with flags, and as the train came still nearer, slow, sad, plaintive music was heard, and a beautiful lady, representing the Goddess of Liberty, was seen kneeling over the

grave of Lincoln, holding the drooping flag draped with mourning. The funeral train passed slowly by, the band playing a solemn dirge, the setting sun breaking through gorgeous clouds, lit up the scene. It was a most impressive spectacle.

Then on to Albany—thence through the great State of New York to Buffalo, and then again across Pennsylvania—thence to Cleveland, Columbus, and Indianapolis—and thence to Illinois, reaching Chicago on the first of May. Here every man had personally known Mr. Lincoln; here he had tried his causes, here he had made his speeches to juries, and arguments to courts. Here everybody had heard his political speeches, and here he had been nominated for the Presidency. Here were his old neighbors and friends, and yet, mourning him deeply and heartily, as did all, it scarcely could surpass the grief which had been manifested all the way from the National Capital.

The body was placed in the Rotunda of the Court House, and this edifice and every other public or private building in the city, were draped with flags, and with emblems of mourning. The Court House was decorated with wreaths of flowers, and everywhere were mottoes expressive of the universal grief and reverence. Over the north door of the Court House was the motto, "*The altar of freedom has borne no nobler sacrifice.*" Over the south door, "*Illinois clasps to her bosom her slain but glorified son.*"

The funeral train reached the Capital of Illinois on the 3d of May. The Romans were accustomed to decree a triumph to their returning heroes. What Roman triumph can be compared to the return of the remains of Lincoln from Washington to Springfield? The body was taken to the State House, and the covering removed from the face so that his old friends and neighbors might look once more upon the features of Lincoln. His remains had been so perfectly embalmed that the expression was still natural and life-like. Here was seen among others, that touching motto:

"He left us borne up by our prayers,
He returns embalmed in our tears."

The corpse was taken to Oak Ridge Cemetery, and there, among his old friends and neighbors, his clients and constituents, with the nation — the world — for his mourners, was he buried.

The funeral oration was pronounced by Bishop Simpson. The following extracts will indicate its tone and spirit:

"Near the capital of this large and growing State of Illinois, in the midst of this beautiful grove, and at the open mouth of the vault which has just received the remains of our fallen chieftain, we gather to pay a tribute of respect and to drop the tears of sorrow around the ashes of the mighty dead. A little more than four years ago, he left his plain and quiet home in yonder city, receiving the parting words of the concourse of friends who in the midst of the dropping of the gentle shower gathered around him. * * * * * * *

"Here are gathered around his tomb the representatives of the army and navy, senators, judges, governors, and officers of all the branches of the government. Here, too, are members of civic processions, with men and women from the humblest as well as the highest occupations. Here and there, too, are tears, as sincere and warm as any that drop, which come from the eyes of those whose kindred and whose race have been freed from their chains by him whom they mourn as their deliverer. More persons have gazed on the face of the departed than ever looked upon the face of any other departed man. More races have looked on the procession for sixteen hundred miles or more — by night and by day — by sunlight, dawn, twilight, and by torchlight, than ever before watched the progress of a procession.

* * * * * * * * * * *

"If you ask me on what mental characteristic his greatness rested, I answer, on a quick and ready perception of facts; on a memory unusually tenacious and retentive; and on a logical turn of mind, which followed sternly and unwaveringly every link in the chain of thought on every subject which he was called to investigate. I think there have been minds more broad in their character, more comprehensive in their scope, but I doubt if ever there has been a man who could follow, step by step, with more logical power, the points he desired to illustrate. He gained this power by the close study of geometry, and by a determination to perceive the truth in all its relations and simplicity, and, when found, to utter it.

* * * * * * * * * * *

"But the great act of the mighty chieftain, on which his fame shall rest long after his frame shall moulder away, is that of giving freedom

to a race. We have all been taught to revere the sacred characters. Among them, Moses stands preëminently high. He received the law from God, and his name is honored among the hosts of Heaven. Was not his greatest act the delivering of three millions of his kindred out of bondage? Yet we may assert that Abraham Lincoln, by his proclamation, liberated more enslaved people than ever Moses set free, and those not of his kindred or his race. Such a power, or such an opportunity, God has seldom given to man. * * * * *

"As a ruler, I doubt if any President has ever shown such trust in God, or in public documents so frequently referred to Divine aid. Often did he remark to friends and to delegations, that his hope for our success rested in his conviction that God would bless our efforts, because we were trying to do right. To the address of a large religious body, he replied, 'Thanks be unto God, who, in our national trials, giveth us the churches.' To a minister who said he hoped the Lord was on our side, he replied that it gave him no concern whether the Lord was on our side or not, for, he added, 'I know the Lord is always on the side of right,' and, with deep feeling, added, 'But God is my witness that it is my constant anxiety and prayer that both myself and this nation should be on the Lord's side.'

* * * * * * * * * * *

"Chieftain! farewell! The nation mourns thee. Mothers shall teach thy name to their lisping children. The youth of our land shall emulate thy virtues. Statesmen shall study thy record and learn lessons of wisdom. Mute though thy lips be, yet they still speak. Hushed is thy voice, but its echoes of liberty are ringing through the world, and the sons of bondage listen with joy. Prisoned thou art in death, and yet thou art marching abroad, and chains and manacles are bursting at thy touch. Thou didst fall not for thyself. The assassin had no hate for thee. Our hearts were aimed at, our national life was sought. We crown thee as our martyr—and humanity enthrones thee as her triumphant son. Hero, martyr, friend, farewell!"

CHAPTER XXIX.

ABRAHAM LINCOLN.

THOSE who shall have read these pages thus far, have already obtained better means of forming a correct judgment of Mr. Lincoln than from any attempt at word painting. He was a man difficult to describe, and one who can be best understood and appreciated as portrayed by his own speeches, writings and conduct.

Physically, he was a tall, spare man, six feet and four inches in height. He stooped, leaning forward as he walked. He was very athletic, with long, sinewy arms, large, bony hands, and of great physical power. Many anecdotes of his strength are given which show that it was equal to that of two or three ordinary men. He lifted with ease five or six hundred pounds. His legs and arms were disproportionately long, as compared with his body; and when he walked, he swung his arms to and fro more than most men. When seated, he did not seem much taller than ordinary men. In his movements there was no grace, but an impression of awkward strength and vigor. He was naturally diffident, and even to the day of his death, when in crowds, and not speaking or acting, and conscious of being observed, he seemed to shrink with bashfulness. When he spoke, or listened, this appearance left him, and he indicated no self-consciousness. His forehead was high, his hair very dark, nearly black, and rather stiff and coarse; his eye-brows were heavy, his eyes dark-grey, very expressive and varied; now sparkling with humor and fun, and then deeply sad and melancholy; flashing with indignation at injustice or wrong, and then kind, genial, droll, dreamy; always changing with his moods. His nose was large, clearly defined and well shaped; cheek-bones

high and projecting. His mouth firm. He was easily caricatured—but difficult to represent as he was in marble or on canvass. The best bust of him is that of Volk, which was modeled from life in May, 1860, while he was attending court at Chicago. Among the best portraits, in the judgment of his family and intimate friends, is that of Carpenter, in the picture of the Reading of the Proclamation of Emancipation before the Cabinet.

He would be instantly recognized as belonging to that type of tall, thin, large boned men, produced in the northern portion of the Valley of the Mississippi, and exhibiting its peculiar characteristics in a most marked degree in Illinois, Kentucky and Tennessee. In any crowd in the United States, he would have been readily pointed out as a Western man. His stature, figure, manner, voice and accent, indicated that he was of the Northwest. His manners were always cordial, familiar, genial; always perfectly self-possessed, he made every one feel at home, and no one approached him without being impressed with his kindly, frank nature, his clear, good sense, and his transparent truthfulness and integrity. There is more or less of expression and character in handwriting. Lincoln's was plain, simple, clear, and legible, as that of Washington, but unlike that of Washington, it was without ornament.

In endeavoring to state those qualities which gave him success and greatness, one of the most important, it seems to me, was a combination of a supreme love of truth, and a wonderful capacity to ascertain and find it. Mentally, he had a perfect eye for truth. His mental vision was clear and accurate: he saw things as they were. I mean that everything presented to his mind for investigation, he saw divested of every extraneous circumstance, every coloring, association or accident which could mislead. This gave him at the bar a wonderful sagacity which seemed almost instinctive, in sifting the true from the false, in ascertaining facts; and so it was in all things through life. He ever sought the real, the true, and the right. He was exact, carefully accurate in all his statements. He analyzed well; he saw and presented what lawyers call the very *gist* of every question, divested of

all unimportant or accidental relations, so that his statement was a demonstration. At the bar, his statement of his case, or of a question of law, was so clear, that most persons were surprised that there should be any controversy about it. His reasoning powers were keen and logical, and moved forward to a demonstration with the precision of mathematics. What has been said implies that he possessed not only a sound judgment, which brought him to correct conclusions, but that he was able to present questions so as to bring others to the same result.

His memory was strong, ready, and tenacious. His reading was limited in extent, but his memory was so ready, and so retentive, that in history, poetry, and general literature, no one ever remarked any deficiency. As an illustration of the power of his memory, I recollect to have once called at the White House, late in his Presidency, and introducing to him a Swede and a Norwegian; he immediately repeated a poem of eight or ten verses, describing Scandinavian scenery and old Norse legends. In reply to the expression of their delight, he said, that he had read and admired the poem several years before, and it had entirely gone from him, but seeing them recalled it.

The two books which he read most were the Bible and Shakespeare. With these he was very familiar, reading and studying them habitually, and constantly. He had great fondness for poetry, and eloquence, and his taste and judgment in each was exquisite. Shakespeare was his favorite poet; Burns stood next. Holmes' beautiful poem, "The Last Leaf," was with him a great favorite. The following verse he regarded as equal to anything in the language:

> "The mossy marbles rest
> On the lips that he has pressed
> In their bloom,
> And the names he loved to hear,
> Have been carved for many a year,
> On the tomb." *

He made a speech at a Burns' Festival, in which he spoke at length of Burns' poems; illustrating what he said by many

* Carpenter's Six Months at the White House, p. 59.

quotations, which was listened to with the greatest pleasure, but it was unfortunately never reported. He was extremely fond of ballads, and simple, sad, and plaintive music.

He was a most admirable reader. He read and recited from the Bible and Shakespeare with great simplicity, but remarkable expression and effect. Often when going to and from the army, on the steamers and in his carriage, he took a copy of Shakespeare with him, and not unfrequently read aloud to his associates. After conversing upon public affairs, he would take up his Shakespeare, and addressing his companions, remark, "What do you say now to a scene from Macbeth, or Hamlet," and then he would read aloud, scene after scene, never seeming to tire of the enjoyment. On the last Sunday of his life, as he was coming up the Potomac, from his visit to City Point and Richmond, he read many extracts from Shakspeare. Among other things, he read, with an accent and feeling which no one who heard him will ever forget, extracts from Macbeth, and among others, the following:

> * * * "Duncan is in his grave;
> After life's fitful fever, he sleeps well.
> Treason has done his worst; nor steel, nor poison,
> Malice domestic, foreign levy, nothing
> Can touch him farther."

After "treason" had "*done his worst*," the friends who heard him on that occasion, remembered that he read that passage over twice, and with an absorbed and peculiar manner. Did he feel a mysterious presentiment of his approaching fate?

His conversation was suggestive, original, instructive, and playful; and by its genial humor, fascinating and attractive beyond comparison. Mirthfulness and sadness were strongly combined in him. His mirth was exuberant, it sparkled in jest, story, and anecdote; and the next moment those peculiary sad, pathetic, melancholy eyes, showed a man "familiar with sorrow, and acquainted with grief." I have listened for hours at his table, and elsewhere, when he has been surrounded by statesmen, military leaders, and other great men of the Nation, and I but repeat the universally concurring

verdict of all, in stating that as a conversationalist he had no equal. One might meet in company with him the most distinguished men, of various pursuits and professions, but after listening for two or three hours, on separating, it was what Lincoln said that would be remembered. His ideas and his illustrations were those that would not be forgotten. Men often called upon him for the pleasure of listening to him. I have heard the reply to an invitation to attend the theatre, "No, I am going up to the White House—I would rather hear Lincoln talk for half an hour, than attend the best theatre in the country."

As a public speaker, without any attempt at oratorical display, I think he was the most effective of any man of his day. When he spoke, every body listened. It was always obvious, before he completed two sentences, that he had something to say, and it was sure to be something original, something different from anything any one had heard from others, or had read. He impressed the hearer at once, as an earnest, sincere man, who believed what he said. To-day, there are more of the sayings of Lincoln, repeated by the people, more expressions, sentences, and extracts from his writings and speeches, familiar as "household words," than from those of any other American.

Next to the Bible, and Shakspeare, there is no other source so prolific of these familiar phrases and expressions as his writings and speeches. Somebody has said, "I care not who makes the laws, if I may write the ballads of a nation." The words of Lincoln have done more in the last six years to mould and fashion the American character than those of any other man, and their influence has been all for good; for truth, right, justice, and liberty. Great as has been Lincoln's services to the people, as their President, I think his influence derived from his words and his example in moulding the future National character, in favor of justice, right, liberty, truth, and real, sincere, unostentatious reverence for God, is scarcely less important. The Republic of the future, the matured National character, will be more influenced by Abraham Lincoln, than by any other man. This is evidence of the greatness of the man, intellectually, and still more,

morally. In this power of impressing himself upon the people, he contrasts with many other distinguished men in our history.

A few quotations from Webster live in the every day language of the people. Little of Clay survives; not much of Calhoun, and who can quote, off hand, two sentences from Douglas? But you hear Lincoln's words, not only in every cabin and caucus, but at every school house, high school and college, and by every farmer, as he tells you story after story of Lincoln's, and all to the point, hitting the nail on the head every time, and driving home the argument. Mr. Lincoln was not a scholar, but where is there a speech more exhaustive in argument than his Cooper Institute speech? Where anything more full of pathos than his speech to his neighbors at Springfield, when he bade them farewell, on starting for the Capital? Where anything more eloquent than his appeal for Peace and Union, in his first Inaugural Address, or than his defence of the Declaration of Independence in the Douglas debates? Where is the equal of his speech at Gettysburg? Where is a more conclusive argument than in his letter to the Albany meeting on arrests? What is better than his letter to the Illinois State Convention; and that to Hodges of Kentucky, in explanation of his anti-slavery policy? Where is there any thing equal in simple grandeur of thought, and sentiment, to his last Inaugural?

From all of these, and many others, from his every day talks, are extracts on the tongues of the people, as familiar, and nearly as much reverenced, as texts from the Bible; and these are shaping the national character.

"Though dead, he yet speaketh."

As a public speaker, if excellence is measured by effect, he had no superior. His manner was generally earnest, often playful; sometimes, but this was rare, he was vehement and impassioned. There have been a few instances, at the bar and on the stump, when, wrought up to indignation by some great personal wrong, or an aggravated case of fraud, or injustice, or when speaking of the fearful wrongs and injustice

of slavery, he has spoken in a strain of impassioned vehemence which carried everything before him.

Generally, he addressed the reason and judgment, and the effect was lasting. He spoke extemporaneously, but with more or less preparation. He had the faculty of repeating, without reading it, a discourse or speech which he had prepared and written out. His great speech, on opening the campaign in Illinois, June, 1858, was carefully written out, but so naturally spoken that few suspected that it was not extemporaneous. In his style, manner of presenting facts, and way of putting things to the people, he was more like Franklin than any other American. His illustrations, by anecdote and story, were not unlike the author of *Poor Richard.*

Another source of his great intellectual power, was the thorough, exhaustive investigation he gave to every subject. Take, for illustration, his Cooper Institute speech. Hundreds of able and intelligent men have spoken on the same subject, as was treated by him in that speech, yet they will all be forgotten and his will survive, because his is absolutely perfect—for the purpose for which it was designed. Nothing can be added to it.

Mr. Lincoln, however, required time thoroughly to investigate, before he came to his conclusions, and the movements of his mind were not rapid, but when he reached his conclusions he believed in them, and adhered to them with great firmness and tenacity. When called upon to decide quickly upon a new subject, or a new point, he often erred, and was ever ready to change when satisfied he was wrong.

It was the union, in Mr. Lincoln, of the capacity clearly to see the truth, and an innate love of truth, and justice, and right in his heart, that constituted his character, and made him so great. He never demoralized his intellectual or moral nature, either by doing wrong, that good might come, or by advocating error, because it was popular. Although, as a statesman, eminently practical, and looking to the possible good of to-day, he ever kept in mind the absolute truth and absolute right towards which he always aimed.

Mr. Lincoln was an unselfish man. He never sought his own advancement at the expense of others. He was a just man. He never tried to pull others down, that he might rise. He disarmed rivalry and envy by his rare generosity. He was eminently a tender-hearted, kind and humane man. These traits were illustrated all through his life. He loved to pardon; he was averse to punish. It was difficult for him to deny the request of a child, a woman, or of any who were weak and suffering. Pages of incidents might be quoted, showing his ever thoughtful kindness, gratitude, and appreciation of the soldiers. The following letter is selected from many on this subject:

"EXECUTIVE MANSION, WASHINGTON, November 21, 1864.

"DEAR MADAM: I have been shown in the files of the War Department a statement of the Adjutant General of Massachusetts, that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

"Yours, very sincerely and respectfully,

"ABRAHAM LINCOLN.

"To Mrs. BIXBY, Boston, Massachusetts."

One summer's day, in walking along the shaded path which leads from the White House to the War Department, I saw the tall form of the President seated on the grass under a tree, with a wounded soldier sitting by his side. He had a bundle of papers in his hand. The soldier had met him in the path, and recognizing him, had asked his aid. Mr. Lincoln sat down upon the grass, investigated the case, and sent the soldier away rejoicing.

His charity, in the best sense of that word, was pervading. When others railed, he railed not again. No bitter words, no denunciation can be found in his writings or speeches.

Literally in his heart there was "malice towards none, and charity for all."

Mr. Lincoln was by nature a gentleman. No man can point, in all his life time, to anything mean, small, tricky, dishonest, or false; on the contrary, he was ever open, manly, just, sincere, and true. That characteristic attributed to him by Mr. Holland, in his most excellent biography, of coarse story telling, and which he deems it necessary to palliate and apologise for, did not exist. I assert, that my intercourse with him was constant for many years before he went to Washington, and there I saw him daily, during the greater part of his Presidency, and although his stories and anecdotes were racy, witty, and pointed, beyond all comparison with others, yet I never heard one of a character to need palliation or excuse.*

It may interest the people who did not visit Washington during his Presidency, to know in what sort of a room Mr. Lincoln lived and transacted business during his administration. His reception room was on the second floor, on the south side of the White House, and the second apartment from the southeast corner. The corner room was occupied by Mr. Nicolay, his private secretary; next to this was the President's reception room. It was a room perhaps thirty by twenty feet. In the middle, on the west side, was a large marble fire place, with old-fashioned brass andirons, and a large, high, brass fender. The windows looked to the south, upon the lawn and shrubbery on the south front of the White House, taking in the unfinished Washington

*Mr. Carpenter, in his "Six months at the White House," alluding to this matter, says: "It is but simple justice to his memory that I should state, that during the entire period of my stay in Washington, after witnessing his intercourse with nearly all classes of men, embracing governors, senators, members of Congress, officers of the army, and intimate friends, I cannot recollect to have heard him relate a circumstance to any one of them, which would have been out of place uttered in a ladies' drawing-room. And this testimony is not unsupported by that of others, well entitled to consideration. Dr. Stone, his family physician, came in one day to see my studies. Sitting in front of that of the President—with whom he did not sympathise politically—he remarked, with much feeling, 'It is the province of a physician to probe deeply the interior lives of men; and I affirm that Mr. Lincoln is the purest hearted man with whom I ever came in contact.' Secretary Seward, who of the Cabinet officers was probably most intimate with the President, expressed the same sentiment in still stronger language. He once said to the Rev. Dr. Bellows: 'Mr. Lincoln is the best man I ever knew!'"

Monument, the Potomac, Alexandria, and down the beautiful river towards Mount Vernon. Across the Potomac was Arlington Heights. The view from these windows was altogether very beautiful.

The furniture of this room consisted of a long oak table, covered with cloth, and oak chairs. This table stood in the centre of the room, and was the table around which the Cabinet sat, at Cabinet meetings, and is faithfully painted in Carpenter's picture of the Emancipation Proclamation. At the end of the table near the window was a large writing table, and desk, with pigeon holes, for papers such as are common in lawyers' officers. In front of this, in a large arm chair, Mr. Lincoln usually sat. Behind his chair, and against the west wall of the room, was another writing desk high enough to write upon when standing, and upon the top of this were a few books, consisting generally of the Statutes of the United States, a Bible, a copy of Shakespeare, and Whiting's War Powers. There was a sort of bureau, with wooden doors, with pigeon holes for papers, standing between the windows. Here the President kept such papers as he wished readily to refer to. There were two plain sofas in the room. Generally two or three map frames, from which hung military maps, on which the movements of the armies were continually traced and followed. The only picture in the room was an old engraving of Jackson, which hung over the fire-place; late in his administration was added a fine photograph of John Bright. Two doors opened into this room, one from Mr. Nicolay's, the secretary, and the other from the great hall where the crowd usually waited. A bell cord hung within reach of his hand, while he sat at his desk. There was an ante-room adjoining this, plainly furnished, but the crowd usually pressed to the hall, from which an entrance might be directly had to the President's room. A messenger stood at the door, and took in the cards and names of visitors.

Here, in this room, more plainly furnished than many law and business offices, plainer than the offices of the heads of Bureaus in the Executive Departments, Mr. Lincoln spent the days of his Presidency. Here he received everybody,

from the Lieutenant General and Chief Justice, down to the private soldier, and humblest citizen. Custom had established certain rules of precedence, fixing the order in which officials should be received. The members of the Cabinet, and the high officers of the army, were, of course, received always promptly. Senators and members of Congress, who are usually charged with the presentation of all petitions and recommendations for appointments, and who are expected to right every wrong, and correct every evil each one of their respective constituents may be suffering, or imagine himself to be suffering, have an immense amount of business with the Executive. I have often seen as many as ten or fifteen Senators, and twenty or thirty members of the House, in the hall, waiting their turn to see the President. They would go to the ante-room, or up to the hall, in front of the reception room, and await their turns. First, the Vice President, if present, and then the Speaker of the House, and then Senators and members of the House in the order of their arrival, and the presentation of their cards. Frequently Senators and members would go to the White House as early as eight or nine in the morning to secure precedence, and an early interview. While they waited, the loud, ringing laugh of Mr. Lincoln, in which he was sure to be joined by all *inside*, but which was rather provoking to those *outside*, was often heard by the waiting and impatient crowd. Here, from early morning to late at night, Mr. Lincoln sat, listened, and decided; patient, just, considerate, hopeful. All the people came to him as to a father. He was more accessible than any of the leading members of his Cabinet; much more so than Mr. Seward, shut up in the State Department, writing his voluminous dispatches; far more so than Mr. Stanton, indefatigable, stern, abrupt, but ever honest and faithful. Mr. Lincoln saw everybody; governors, senators, congressmen, officers, ministers, bankers, all classes of people; all approached him with confidence, from the highest to the lowest; but this incessant labor, and fearful responsibility, told upon his vigorous frame. He left Illinois for the Capital, with a frame of iron and nerves of steel. His old friends, who knew him in Illinois as a man who knew not

what illness was, who knew him ever genial and sparkling with fun, as the months of the war passed slowly on, saw the wrinkles on his forehead deepened into furrows; and the laugh of old days became sometimes almost hollow; it did not now always come from the heart, as in former years; anxiety, responsibility, care, thought, wore upon even his giant frame, and his nerves of steel became at times irritable. For more than four years he had no respite, no holidays. When others fled away from the dust and heat of the Capital, he must stay; he would not leave the helm until the danger was past.

Mrs. Lincoln watched his care-worn face with the anxiety of an affectionate wife, and sometimes took him from his labors almost in spite of himself; she urged him to ride, and to go to the theatre, to divert his mind from his engrossing cares.

Let us for a moment try to appreciate the greatness of his work and his services. He was the Commander-in-Chief, during the war, of the largest army and navy in the world; and this army and navy was created during his administration, and its officers were sought out and appointed by him. The operations of the treasury were vast beyond all previous conceptions of the ability of the country to sustain; and yet when he entered upon the Presidency, he found an empty treasury, no credit, no army, no navy, the officers all strangers, many deserting, more in sympathy with the rebels, Congress divided, and public sentiment unformed. The party which elected him was in a minority. The old Democratic party, which had ruled the country for half a century, hostile to him, and by long political association, in sympathy with the insurgent States. His own party, new, made up of discordant elements and not yet consolidated, unaccustomed to rule, and neither his party nor himself possessing any *prestige*. He entered the White House, the object of personal prejudice to a majority of the people, and of contempt to a powerful minority. And yet I am satisfied from the statement of the conversation of Mr. Lincoln with Mr. Bateman, quoted hereafter, and from various other reasons, that he himself more fully appreciated the terrible conflict before him than any man in the Nation, and

that even then he hoped and expected to be the *Liberator* of the slaves. He did not yet clearly perceive the manner in which it was to be done, but he believed it would be done, and that God would guide him.

In four years, this man crushed the most stupendous rebellion, supported by armies more vast, and resources greater than ever before undertook to overthrow any Government. He held together against warring factions, his own great party; and strengthened it by securing the confidence, and bringing to his aid a large proportion of all other parties. He was reëlected almost by acclamation, and he led the people, step by step, up to emancipation, and saw his work crowned by the Constitutional amendment, eradicating slavery forever from the Republic. Did this man lack firmness? Study the boldness of the act of emancipation. See with what fidelity he stood by his proclamation.

In his Message of 1863, he said, "I will *never* retract the proclamation, nor return to slavery any person made free by it." In 1864, he said, "if it should ever be made a duty of the Executive to return to slavery any person made free by the proclamation or the acts of Congress, some other person, not I, must execute the law."

When hints of peace were suggested, as obtainable by giving over the negro race again to bondage, he repelled it with indignation. When the rebel Vice President Stephens, at Fortress Monroe, tempted him to give up the freedmen, and seek the glory of a foreign war, in which the Union and Confederate soldiers might join, neither party sacrificing its honor, he was inflexible; he would die, sooner than break the faith pledged to the negro.

Mr. Lincoln did not enter with reluctance upon the plan of emancipation, and in this statement I am corroborated by Lovejoy, and Sumner, and many others. If he did not act more promptly, it was because he knew he must not go faster than the people. Men have questioned the firmness, boldness, and will of Mr. Lincoln. He had no vanity in the exhibition of power, but he quietly acted, when he felt it his duty so to do, with a boldness and firmness never surpassed.

What bolder act than the surrender of Mason and Slidell, against the resolution of Congress, and almost universal popular clamor, without consulting the Senate, or taking advice from his Cabinet? The removal of McClellan, and Butler; the modification of the orders of Fremont, and Hunter were acts of a bold, decided character. Mr. Lincoln acted for himself, taking personally the responsibility of deciding the great questions of his administration.

He was the most democratic of all the Presidents. Personally, he was homely, plain, without pretension, and without ostentation. He believed in the people, and had faith in their good impulses. He ever addressed himself to their reason, and not to their prejudices. His language was simple, sometimes quaint, never sacrificing expression to elegance. When he spoke to the people, it was as though he said to them, "come, let us reason together." There cannot be found in all his speeches, or writings, a single vulgar expression, nor an appeal to any low sentiment or prejudice. He had nothing of the demagogue. He never himself alluded to his humble origin except to express regret for the deficiencies of his education. He always treated the people in such a way, that they knew that he respected them, believed them honest, capable of judging correctly and disposed to do right.

The following incident, related by Mr. Deming, Member of Congress from Connecticut, illustrates the religion which governed his daily life: On one occasion, Mr. Lincoln said, "I have never united myself to any church, because I found difficulty in giving my assent, without mental reservation, to the long and complicated statements of Christian doctrine, which characterize their articles of belief and confessions of faith. When any church will inscribe over its altar, as its sole qualification for membership, the Saviour's condensed statement of the substance of both law and gospel: 'Thou shalt love the Lord thy God, with all thy heart, with all thy soul, and with all thy mind, and thy neighbor as thyself,' that church shall I join with all my heart and soul."*

One day, when one of his friends was denouncing his political enemies, "Hold on," said Mr. Lincoln, "Remember

* See Deming's Eulogy on Lincoln, p. 42.

what St. Paul says, 'and now abideth faith, hope, charity, these three; *but the greatest of these is charity.*'"

From the day of his leaving Springfield to assume the duties of the Presidency, when he so impressively asked his friends and neighbors to invoke for him the guidance and wisdom of God, to the evening of his death, he seemed ever to live and act in the consciousness of his responsibility to that God, and with the trusting faith of a child he leaned confidingly upon His Almighty Arm. He was visited during his administration by many Christian delegations, representing the various religious denominations of the Republic, and it is known that he was relieved and comforted in his great work by the knowledge that the Christian world were praying for his success. Some one said to him, one day, "no man was ever so remembered in the prayers of the people, especially those who pray 'not to be heard of men,' as you are." He replied, "I have been a good deal helped by just that thought."

The support which Mr. Lincoln received during his administration from the religious organizations, and the sympathy and confidence between the great body of Christians and the President, was a source of immense strength and power to him.

I know of nothing revealing more of the true character of Mr. Lincoln, his conscientiousness, his views of the slavery question, his sagacity and his full appreciation of the awful trial through which the country and he had to pass, than the following incident stated by Mr. Bateman, Superintendent of Public Instruction for Illinois.

On one occasion, in the Autumn of 1860, after conversing with Mr. Bateman at some length, on the, to him, strange conduct of Christian men and ministers of the Gospel supporting slavery, he said:

"'I know there is a God, and that He hates injustice and slavery. I see the storm coming, and I know that His hand is in it. If He has a place and work for me — and I think He has — I believe I am ready. I am nothing, but Truth is everything. I know I am right, because I know that Liberty is right, for Christ teaches it, and Christ is God. I

have told them that a house divided against itself cannot stand; and Christ and Reason say the same; and they will find it so.

"'Douglas don't care whether slavery is voted up or down, but God cares, and humanity cares, and I care; and with God's help I shall not fail. I may not see the end; but it will come, and I shall be vindicated; and these men will find that they have not read their Bibles right.'

"Much of this was uttered as if he was speaking to himself, and with a sad, earnest solemnity of manner impossible to be described. After a pause, he resumed: 'Does n't it appear strange that men can ignore the moral aspect of this contest? A revelation could not make it plainer to me that slavery or the Government must be destroyed. The future would be something awful, as I look at it, but for this rock on which I stand, (alluding to the Testament which he still held in his hand,) especially with the knowledge of how these ministers are going to vote. It seems as if God had borne with this thing (slavery) until the very teachers of religion had come to defend it from the Bible, and to claim for it a divine character and sanction; and now the cup of iniquity is full, and the vials of wrath will be poured out.' After this the conversation was continued for a long time. Everything he said was of a peculiarly deep, tender and religious tone, and all was tinged with a touching melancholy. He repeatedly referred to his conviction that the day of wrath was at hand, and that he was to be an actor in the terrible struggle which would issue in the overthrow of slavery, though he might not live to see the end."

The place Mr. Lincoln will occupy in history, will be higher than any which he held while living. His Emancipation Proclamation is the most important historical event of the nineteenth century. Its influence will not be limited by time, nor bounded by locality. It will ever be treated by the historian as one of the great land-marks of human progress.

He has been compared and contrasted with three great personages in history, who were assassinated,—with Cæsar, with William of Orange, and with Henry the IV. of France. He was a nobler type of man than either, as he was the product of a higher and more Christian civilization.

The two men, whose preëminence in American history will not hereafter be questioned, are Washington and Lincoln. Lincoln was as pure as Washington, as modest, as just, as

patriotic; less passionate by nature, more of a democrat, with more faith in the people, and more hopeful of the future. Washington will be the representative man of the era of Independence; and Lincoln, that of universal liberty.

The cardinal ideas of Lincoln's policy, were national Unity and Liberty. That the portion of the earth called the United States should continue the home of one national family, recognizing the brotherhood of man, was his grand aim. This great family, with a continent for a *homestead,* universal liberty, restrained and guided by intelligence and Christianity, was his sublime ideal of the future. For this he lived, and for this he died.

CHAPTER XXX.

THE CONSTITUTIONAL HISTORY OF THE WAR.

THE WAR POWERS OF THE GOVERNMENT—THE RIGHT TO TREAT THE CONFEDERATES AS PUBLIC ENEMIES—THE HABEAS CORPUS, WHO MAY SUSPEND IT—THE RIGHT TO EMANCIPATE SLAVES IN TIME OF WAR—TO ESTALISH MILITARY GOVERNMENTS OVER REBELLIOUS AND BELLIGERENT TERRITORY—THE LEGAL STATUS OF REBELLIOUS STATES—JUDICIAL DECISIONS—MAY CONDITIONS BE IMPOSED UPON REBELLIOUS STATES, BEFORE BEING PERMITTED TO PARTICIPATE IN THE GOVERNMENT—AND BY WHAT POWER—WHO MUST DETERMINE WHETHER A STATE GOVERNMENT IS REPUBLICAN IN FORM—WHAT HAS BEEN SETTLED BY THE WAR.

I PROPOSE in this, the concluding chapter, to give a history of the Constitution during the war. During the rebellion, a great party condensed into a single, short sentence its creed and its policy: "*The Union as it was, and the Constitution as it is.*" To this it was replied, the America of the past is gone forever; a new nation has been born through the agony of the great civil war. The theories and the institution which produced that war, have been overthrown, and their roots are being eradicated. Changes in the construction of the Constitution; in the development of its long dormant and scarcely suspected *war powers*, and amendments to the Constitution itself, have produced changes which almost amount to a revolution. The attention of the people has been so absorbed by the stirring scenes of the conflict, by the hopes which elated, and the fears which depressed them, that they have scarcely noticed, in the presence of these more stirring events, this revolution. A revolution as important in its results as the defeat of hostile armies, or the overthrow of armed rebellion.

Great civil wars have almost always produced great changes.

When they have secured liberty and justice; when they have exalted the sentiment of national honor; and when, in any large degree, they have promoted the public welfare, then the results which they have produced are more important, more paramount, more permanent, and more worthy of admiration than the most renowned of victories. War, in itself, is but a record of suffering, heightened often, it is true, by the display of the highest virtue and capacity, but chiefly interesting from its results; and as the means to accomplish great ends. The most valuable lessons in history are derived, not from mere military operations, but from the conflict of the great ideas and principles which underlie all great wars. In the great and sad tragedy of our civil war, crowded, as it has been, with scenes of the most intense interest, nothing is more important than the great political revolution which it has accomplished. The two great ideas which the Union armies represented, were Nationality and Liberty. At the South, it was Slavery and the State. National Unity and Universal Freedom have triumphed; and, with their triumph, there has been a great change of opinion in respect to the war powers of the Government under the Constitution, including the powers of the President and Congress, on the subject of rebellion, slavery, treason, and war. The history of these changes, the *Constitutional history of the war*, is worthy of the profound study of all enlightened statesmen and thinkers, of all who trust in and admire, or who fear the progress of popular government.

It is, doubtless, too early to write this part of the history of the great conflict. The atmosphere is not yet clear of the clouds of the contest, and the billows of contending opinion have not yet entirely subsided. I propose to note some of the changes, and thereby aid those who, in cooler and calmer days, shall make up the record.

Let us go back, and see what was the condition of public opinion, which in our country makes the law, preceding the war, on the subjects suggested, and compare it with the present, and the great changes will be obvious and striking. The best evidence of public opinion upon the construction of the Constitution in regard to slavery, State rights, the

National Government, and the war powers under the Constitution, is to be found in the platforms of the great political parties, in the messages and action of the Executive, and the action of the several departments of the Government, the speeches of leading statesmen, and resolutions of public meetings.

The platform of the Republican party, on which President Lincoln was elected, contained this resolution:

"*Resolved*, That the maintenance inviolate of the rights of the States; and especially *the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depend*, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest crimes."

Democratic resolutions, beginning in 1840, and continuing to 1860, were repetitions of the following:

"*Resolved*, That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States," etc.

The ancient and long established doctrine of the Democratic party in relation to slavery was expressed in the *Cincinnati Platform* in 1856, as follows: "That Congress *has no power under the Constitution to interfere with, or control the domestic institutions of the several States*, and that all such States are the sole and proper judges of everything appertaining to their affairs not prohibited by the Constitution."

The Attorney General of the United States, Judge Black, in an official opinion dated November 20, 1860, (being about two weeks after Mr. Lincoln's election, and presented to the Cabinet of President Buchanan,) declares in substance, that war made by Congress upon a seceding State would dissolve the Union, and thus legalize secession. His words are:

"If it be true that war cannot be declared, nor a system of general hostilities carried on by the central Government against a State, (as he

had previously attempted to show,) then it seems to follow that an attempt to do so would be *ipso facto an expulsion of such State from the Union;* being treated as an alien and an enemy, she would be compelled to act accordingly. And if Congress shall break up the present Union by unconstitutionally putting strife and enmity between different sections of the country, instead of the domestic tranquility which the Constitution was meant to insure, *will not all the States be absolved from their Federal obligations? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?"*

President Buchanan, in his Message of December 3, 1860, says:

"The question fairly stated is: Has the Constitution delegated to Congress the right to coerce a State into submission, which is attempting to withdraw, or has actually withdrawn from the Confederacy? If answered in the affirmative it must be upon the principle that power has been conferred upon Congress to declare or to make war upon a State. After much serious reflection, I have arrived at the conclusion that no such power has been delegated to Congress or to any other department of the Federal Government. * * * * * Without descending to particulars, it may be safely asserted that the power to make war against a State is at variance with the whole spirit of the Constitution. * * * * Congress possesses many means of preserving it, (the Union,) by conciliation, but the sword was not placed in their hands to preserve it by force."

It was resolved by Congress in 1861, by a nearly unanimous vote, "That neither the Federal Government nor the people, or the Governments of the non-slaveholding States, have the right to legislate upon or interfere with slavery in any of the slaveholding States of the Union."

On the 14th of January, 1861, Mr. Corwin, Chairman of a Select Committee of thirty-three, reported a series of propositions to the House of Representatives, the first of which was adopted in the form of a Joint Resolution by a vote of 137 to 53, in the House, and was subsequently passed by the Senate, contained the following:

"*Resolved*, That it is the duty of the Federal Government to enforce the Federal laws, protect the Federal property and preserve the Union of these States.

"*Resolved*, That we recognize slavery as now existing in fifteen of the United States by the usages and laws of those States, and we recognize *no authority legally or otherwise*, outside of a State where it so exists, to *interfere with slaves or slavery in such States*, in disregard of the rights of their owners or the peace of society."

The following resolutions passed the United States House of Representatives, February 11th, 1861, 116 yeas, 4 nays:

"*Resolved*, That neither the Federal Government nor the people, nor Governments of the non-slaveholding States have a purpose *or a Constitutional right to legislate upon or interfere with slavery* in any of the States of the Union.

"*Resolved*, That those persons in the North who do not subscribe to the foregoing propositions are *too insignificant in numbers and influence to excite the serious attention or alarm of any portion of the people of the Republic;* and that the increase of their numbers and influence does not keep pace with the increase of the aggregate population of the Union."

On the 28th of February, 1861, a Joint Resolution was passed, 133 to 65, providing for an amendment of the Constitution, as follows:

"ART. 12. No amendment shall be made to the Constitution which shall authorize or give to Congress the power to abolish or to interfere within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State."

Abraham Lincoln, in his Inaugural Address, March 4, 1861, says: "I have no purpose directly or indirectly to interfere with the institution of slavery in the States where it exists. I believe I *have no lawful right to do so*, and I have no inclination to do so."

President Lincoln again says in his Inaugural Address of March 4th, 1861: "I understand a proposed amendment to the Constitution, which amendment, however, I have not seen, has passed Congress, to the effect that the *Federal Government shall never interfere with the domestic institutions of the States including that of persons held to service.* To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that,

holding such a provision now to be implied Constitutional law, I have no objection to its being made express and irrevocable."

I have already in this volume detailed the action of the military leaders early in the war, in regard to slavery. They were very slow, as we have seen, to assert belligerent rights against the slaveholders. For a time they would not permit any interference with slaves or slavery; and the strange, almost incredible spectacle was presented, of the Nation's attempting to carry on war against the slaveholding Confederacy, refusing to accept the loyal services of a very considerable portion of the people of the Confederacy because they were black, and for a time, many officers of the army, not only refused to accept such service, but actually used the Federal army to return loyal men to the rebel authorities, to be used in strengthening the power of the insurgents.

After actual war had been commenced by the insurgents, after the Confederate Government had been established, Mr. Seward, Secretary of State, on the 10th of April, 1861, thus writes to Charles F. Adams, our Minister to England: *

"For these reasons he (the President) would not be disposed to reject a cardinal dogma of theirs (the secessionists), namely: that the *Federal Government could not reduce the seceding States to obedience by conquest*, even though he were disposed to question that proposition. *But in fact the President willingly adopts it as true.* Only an *imperial or despotic* Government could *subjugate* thoroughly disaffected and insurrectionary members of the State. This *Federal Republican system* is, of all forms of Government, the very one which is *most unfitted* for such a labor. Happily, however, this is only an imaginary defect. The system has within itself adequate, *peaceful*, and recuperative forces. Firmness on the part of the Government in maintaining and preserving the public institutions and property, and in executing the laws *where authority can be exercised without waging war*, combined with such measures of justice, moderation and forbearance as will disarm reasoning opposition, will be sufficient to secure the public safety, until returning reflection, concurring with the fearful experience of social evils, the inevitable fruits of faction, shall bring the recreant members cheerfully back into the family, which, after all, must prove their best and

* Diplomatic Correspondence of 1861.

happiest, as it undeniably is, their most natural home. The Constitution of the United States provides for that return, by authorizing Congress, on application to be made by a certain majority of States, to assemble a *National Convention*, in which the *organic law can, if needful, be revised* so as to *remove all real obstacles to a reunion* so suitable to the habits of the people, and so eminently conducive to the common safety and welfare. Keeping that remedy steadily in view, the President, on one hand, will not suffer the Federal authority to fall into abeyance; nor will he, on the other, aggravate existing evils *by attempts at coercion, which must assume the form of direct war against any of the revolutionary States.* If, while he is pursuing this course, commended as it is by prudence and by patriotism, the scourge of civil war, for the first time in our history, must fall upon our country during the term of his administration, that calamity will then have come, through the agency, not of the Government, but of those who shall have chosen to be its armed, open, and irreconcilable enemies; and he will not suffer himself to doubt that, when the value of the imperilled Union shall be brought in that fearful manner home to the business and bosoms of the American people, they will, with an unanimity that shall vindicate their wisdom and their virtue, rise up and save it."

The Secretary of State writes to Mr. Adams, February 17th, 1862, as follows:

"To proclaim the crusade (against slavery) is unnecessary; and it would even be inexpedient, because it would deprive us of the needful and *legitimate* support of the friends of the Union who are opposed to slavery, but who prefer union with slavery, to disunion without slavery. Does France or does Great Britain want to see a *social revolution* here, with all its horrors, like the slave revolution in St. Domingo? Are these powers sure that the country, or the world, is ripe for *such a revolution*, so that it must certainly be successful? What if, in inaugurating such a revolution, slavery, protesting against *ferocity and inhumanity*, should prove the victor?" *

*It is a fact worthy of note, that Mr. Seward, early in 1862, deprecating emancipation as "a crusade" against slavery, asks: "Does France or does Great Britain want to see a *social revolution* here, with *all its horrors*, like the slave revolution of St. Domingo." Emancipation came, through President Lincoln, within less than a year from the date of Mr. Seward's letter, but to the credit of the long-abused negro race, let it be remembered, that it produced no "*horrors*," no outrages upon the part of the freedmen, upon their late masters. Mr. Lincoln, in proclaiming emancipation, had enjoined "upon the people so declared free, to abstain from all violence (see p. 299) except in self-defense." This admonition of their benefactor they have scrupulously observed. Compare the conduct of the two classes, the

Mr. Seward writes to Mr. Adams, July 5th, 1862: *

"It is a satisfaction to know that a copy of my dispatch 260, has been received and read to Earl Russell. The subject it presents is one of momentous import. It seems as if the *extreme advocates of African slavery* and its *most vehement opponents were acting in concert together to precipitate a servile war—the former by making the most desperate attempts to overthrow the Federal Union; the latter by demanding an edict of universal emancipation as a lawful and necessary, if not, as they say, the only legitimate way of saving the Union.*"

Mr. Seward, writing to Mr. Adams on a previous occasion, says:

"*The rights of the States*, and the *condition of every human being in them, will remain precisely the same, whether the revolution shall succeed or whether it shall fail.* In one case the States would be federally connected with the new Confederacy; in the other, they would, as now, be members of the United States, but their *constitutions and laws, customs, habits and institutions* in either case will *remain the same.*"

The People's Convention, which met in Fanueil Hall, Boston, in October, 1862, and which contained among its members, Joel Parker, Professor of Law at Cambridge, and B. F. Thomas, an ex-judge of the Supreme Court of Massachusetts, passed the following resolutions:

"*Resolved*, That we deeply regret that the President of the United States at this time, forgetful of his *obligations to the whole country as the constitutional head of the Government*, and yielding to unwise counsels, should have declared in his Proclamation of September 22d, 1862, his determination to adopt hereafter, in the prosecution of our deplorable civil war, *the policy* of a party which the House of Representatives, by the resolutions of February 11th, 1861, unanimously declared to be too insignificant in numbers and influence to excite the serious attention or alarm of any portion of the people of the Republic.

"*Resolved*, That in the name of civilized humanity, we *respectfully but earnestly protest against the Emancipation Proclamation of the*

freedmen and their rebel masters, towards each other since the day of the emancipation of the former; and which has been guilty of the most violence, the greater number of outrages, and "*horrors?*" Let Memphis and New Orleans answer.

*Diplomatic Correspondence, Part 1, p. 124. By the time this dispatch reached Mr. Adams, Mr. Lincoln had written the Proclamation of Emancipation.

President of the United States, both on the ground of its UNCONSTITUTIONALITY and *inexpediency*." *

In a publication issued in November, 1862, one of the ex-judges of the Supreme Court of the United States, B. R. Curtis, denied that the President of the United States had the power, under the Constitution, to emancipate the slaves in the rebellious States. He denied the right of the Commander-in-Chief of our army to make military arrests, except within the lines of his military operations *in the field*. He held that the local laws of the rebel States, which regulated their domestic relations, were still valid as against the military power of the United States, even after the inhabitants of such States had become public enemies, and, therefore, that they were not superseded by the laws of war. He denied that offences not declared as such by statutes of the United States, could be lawfully punished in time of war by military or other tribunals, thus repudiating the operation of the laws of war in the insurgent States as applicable to a time of actual hostilities. He denied the right of the President to suspend the writ of *Habeas Corpus*, or to extend martial law over the country in time of war.

The *Monthly Law Reporter*, the leading law journal of New England, published in June, 1862, an article denying the right of Congress to pass laws to confiscate the property, or to emancipate the slaves of the public enemy, (Vol. XXIV., No. VIII.,) and asserted the doctrine that in the punishment of treason only, the *life estate* of the traitor could be taken from him.

The article asserted "that when a Government is no longer able to protect its citizens, it has no right to demand that they should obey its laws." It took the ground that "Congress should not legislate, during the rebellion, in such manner as to bind those persons who were within the district from which our authority was excluded by the rebels." "The sound constitutional principle," says this learned journal, "which is the result of the authorities, seems to be this: where a usurping power has seized upon

*These and similar resolutions, adopted by very worthy and distinguished citizens, ought to silence those who charge Mr. Lincoln with being *slow* in issuing the Emancipation Proclamation.

the Government and excluded the rightful authority from the exercise of its functions, it may claim the obedience of the district throughout which its power extends. If, in obedience to the command of this power, the inhabitants take up arms against their lawful sovereign, they are not liable to the pains and penalties of treason. The power which actually governs may be safely served in arms by those whom it protects." It also asserted that, unless in exceptional cases, it was settled law "that the private property of enemy's subjects upon land is not liable to seizure; and that even the right of conquest includes the confiscation of the *public property only* of the conquered State;" and that there was no distinction to be taken between a rebellion and a public war in the application of this rule. "Hence it is apparent," says this journal, "that by the rules which govern the relations of belligerents to each other, the confiscation of the real property of the rebels is impossible." The military power to emancipate slaves was also denied.

It seems to have been the deliberate opinion of President Buchanan, and of most of his original Cabinet, that while the States had no right to secede, yet it would be a violation of the Constitution to prevent secession by coercion.

The advocates of extreme State rights, under the lead of Calhoun, had, in 1833, claimed the right of nullification, but this claim was so completely overthrown by Webster in his great speeches in reply to Hayne and Calhoun, and was so emphatically repudiated by President Jackson, Edward Livingston, and the leading statesmen of that day, that it for a while had found little encouragement.* As the Government had passed more and more into the hands of slaveholders, we have seen to what an alarming extent it had been sanctioned throughout the country.

*It is known that General Jackson always regretted that he did not cause the arrest, trial, and if convicted, execution of Calhoun. I have information, upon which I am authorized to state that Henry Clay, who introduced, and by his personal influence and eloquence, carried through the Compromise Tariff of 1833, in after years expressed regret that he had done so. He expressed the opinion that it would have been better for the country, if the issue had been left to be *decided* between the National Government and the authorities of South Carolina—between President Jackson and Calhoun. This opinion of Mr. Clay, expressed some years before the slaveholders' rebellion, has often been repeated during the war—many believing that the conviction and sentence of Calhoun, as a traitor, might have saved the Republic from the late rebellion.

Even Mr. Seward had said "*that the Federal Government could not reduce the seceding States to obedience by conquest. That only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the State.* That the federal republican system of ours is, of all forms of government, the very one which is *most unfitted for such a labor.* That President Lincoln would not, on one hand, suffer the Federal authority to fall into abeyance, nor would he, on the other, aggravate existing evils by attempts at coercion which must assume the form of *direct* war against any of the revolutionary States."

The prevalence of these opinions which extended to some of the officers of the army, and even to members of the Cabinet themselves, greatly embarrassed the Government in carrying on the war, and for a time impaired materially its power.

The right to emancipate the slaves of the enemy, to confiscate his property, real and personal, to condemn rebels for treason for acts done under authority of the Rebel Government, and the power of the Government to enrol into its military service all its citizens, on the ground that the claim of a rebel master to service could not stand in the way of the claim of the government to military service of all who could bear arms, were all denied, not only by the insurgents, but by their friends in the loyal States, and by a considerable number of persons whose opinions were misled by the sophistry of the press in the interests of the rebellion.

The Government was greatly embarrassed at first by the claim set up by the rebels and their friends, that they were entitled to be treated as citizens. That although making war against the Republic, they were still citizens, and could be dealt with only according to the forms of the Constitution and laws as administered in time of peace. They themselves claimed to be under no restraints except those imposed by the laws of war, but the Government, they contended, must take care not to violate the Constitution and the civil law. In reply, it was charged that the rebels were belligerents, and the Government had the right to treat them as such; not only as public enemies, but as rebels—citizens violating the laws of their country.

Mr. Lincoln says, in his admirable reply to the Albany meeting:

"* * * * * * * * * * Under cover of 'liberty of speech,' 'liberty of the press,' and '*habeas corpus*,' they hoped to keep on foot amongst us a most efficient corps of spies, informers, suppliers, and aiders and abettors of their cause in a thousand ways. They knew that in times such as they were inaugurating, by the Constitution itself, the '*habeas corpus*' might be suspended; but they also knew they had friends who would make a question as to who was to suspend it; meanwhile their spies and others might remain at large to help on their cause. Or if, as has happened, the Executive should suspend the writ, without ruinous waste of time, instances of arresting innocent persons might occur, as are always likely to occur in such cases; and then a clamor could be raised in regard to this, which might be, at least, of some service to the insurgent cause. It needed no very keen perception to discover this part of the enemy's programme; so soon as by open hostilities their machinery was fairly put in motion. * * * * * * * *"

Mr. Lincoln soon discovered "the enemy's programme," as he termed it; yet thoroughly imbued with a reverence for the guaranteed rights of individuals, he was slow to adopt the strong measures indispensable to public safety.

The rights guaranteed by the Constitution to loyal citizens, such as freedom of the press, freedom of speech, the right of trial by jury, the right to bear arms, were all claimed by traitors in the North, even when used only to protect the notorious enemies of the Union in the execution of their treasonable plans. There was a period in the history of the rebellion, when, under the color of such claims, and in the absence of decisive measures on the part of the administration, there was serious danger of a civil conflict in the loyal States. There was a time when treason and disloyalty, by means of secret societies, had spread to a dangerous extent over certain localities in the free States. There were localities in which the military authority of the Commander-in-Chief was disregarded by local judges and civil State officers; attempts were made to raise conflicts between the Federal military power and the State judiciary; operations for raising volunteers and recruiting the army were baffled, or embarrassed by individuals and organized parties; the National credit was assailed and sought to be destroyed. But the strong good sense and sagacity of President Lincoln, careful and conservative as he was, were equal to the demands of the crisis. The public mind was guided towards correct conclusions, and all the officers of the Government, aided by a

treatise upon the *war powers* of the President, and of Congress, published in 1862, by William Whiting, Esq., of the Boston bar.*

The author justified the action of the President in the exercise of all the powers he had used, as entirely consistent with, nay, demanded by his Constitutional obligations. He advocated with ability the doctrine — then somewhat novel and much disputed — that under the provisions of the Constitution itself, the President and Congress were clothed with ample war powers against the inhabitants of the rebellious States, and had the right to treat them, in all respects, as public enemies, according to the laws of war; while, at

* Soon after the publication of his book upon the war powers, Mr. Whiting was requested by the Administration to come to Washington, and act as special counsel and solicitor of the War Department. No such office had at that time been established by law, but so many questions of extreme difficulty and delicacy were continually arising, and such was the confidence inspired by this book, that he was urged to accept this very responsible position. Mr. Whiting, with a patriotism and generous love of country, as rare as it was honorable, left a very large and very lucrative practice at the bar, and went to Washington, and entered upon the duties of his position, declining to receive any compensation. He entered upon his duties as the law adviser of the War Department late in 1862. He soon acquired the perfect confidence and warm personal friendship of Mr. Lincoln, and the respect of his Cabinet. The office of Solicitor of the War Department was subsequently established by act of Congress, and Mr. Whiting was appointed to fill it, but, I believe, he declined receiving any compensation, remaining at his post, a faithful, disinterested and most useful officer, down to the surrender of Lee, and the close of the war. During this period, the services of few men, under the Government, were more varied and responsible. He gave opinions, written and verbal, to the President; he furnished written opinions to the Secretary of War, and the heads of the Navy, and State Departments, in regard to questions arising out of the war, and the law of nations. At the same time, Mr. Whiting occupied a position towards Congress not unlike that of solicitor to the British Parliament. He was, as his writings abundantly indicate, an intelligent and radical abolitionist, besides being a very learned and accurate lawyer; and he was in constant consultation with the committees and individual members of both Houses of Congress, aiding by his counsel and advice and his professional knowledge in the important legislation of Congress. His opinions were constantly sought upon questions growing out of confiscation, slavery, arrests, and involving international, belligerent, maritime and martial law, and the local law of the States. He had the pleasure to be with the army at the time of the assault and capture of Petersburg, and to enter the city of Richmond with President Lincoln after its surrender. The publications of Mr. Whiting, including the "War Powers," "Military Arrests," "Reconstruction," and "Military Government," were, as I think it will be conceded, the most valuable and practicable works on the legal and constitutional questions growing out of the war, which have as yet been given to the public. While there are many who will dissent from some of his conclusions, all will admit the learning, integrity, and patriotism, which have inspired him in their production. Among those who faithfully, and unselfishly, with a supreme love of liberty and of country, gave their services to the Republic during its days of trial, and who rendered valuable services, should be written the name of William Whiting.

the same time, the rebels could not, by rebellion, treason, and war, escape the penalties to which, as citizens, they were liable.

Mr. Whiting says:*

"War may be divided into two classes, foreign and civil. In all civil wars the government claims the belligerents on both sides, as subjects, and has the legal right to treat the insurgents both as subjects and as belligerents; and they therefore may exercise the full and untrammelled powers of war against their subjects, or they may, in their discretion, relieve them from any of the pains and penalties attached to either of these characfers. The right of a country to treat its rebellious citizens *both as belligerents and as subjects* has long been recognized in Europe, and by the Supreme Court of the United States. In the civil war between St. Domingo and France, such rights were exercised, and were recognized as legitimate in *Rose* v. *Himely*, 4 Cranch, 272. So in *Cherrot* v. *Foussatt*, 3 Binney, 252.

"In *Dobrie* v. *Napier*, 3 Scott R. 225, it was held that a blockade of the coast of Portugal, by the Queen of that country, was lawful, and a vessel was condemned as a *lawful prize* for running the blockade The cases of the *Santisima Trindad*, 7, Wheat. 306, and *United States* v. *Palmer*, 3 W. 635, confirm this doctrine. By the terms of the the constitution defining treason, a traitor *must be a subject and a belligerent*, and none but a belligerent subject can be a traitor.

* * * * * * * * * * * * * * * * * *

"Having thus the full powers and right of making and carrying on war against rebels, both as subjects and belligerents, this *right* frees the President and Congress from the difficulties which might arise if rebels could be treated *only* as SUBJECTS, and if *war* could not be waged upon them. If conceding to rebels the privileges of belligerents, should relieve them from some of the harsher penalties of treason, it will subject them to the liabilities of the belligerent character. The privileges and the disadvantages are correlative. But it is by no means conceded that the government may not exercise the right of treating the same rebels both as subjects and as belligerents. The constitution defines a rebel who commits treason as one who "levies war" on the United States; and the laws punish this highest of crimes with death, thus expressly treating the same person *as subject and belligerent.* Those who save their necks from the halter by claiming to be treated as prisoners of war, and so to protect themselves under the shield of belligerent rights, must bear the weight of that shield, and submit to the legal consequences of the character they claim. They cannot sail under two flags at the same time. But a rebel does not cease to be a subject because he has turned traitor. The constitution expressly authorizes Congress to pass laws to punish traitors–that is, belligerent —subjects; and suppressing rebellion by armed force is making war. Therefore, the war powers of the government give full belligerent rights against rebels in arms.

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"To determine what are the rights of different nations when making war upon each other, we look only to the law of nations. The peculiar forms or rights of the subjects of one of these war-making parties under their own government, give them no rights over their enemy other than those which are sanctioned by international law. In the great tribunal of nations, there is a 'higher law' than that which has been framed by either one of them, however sacred to each its own peculiar laws and constitution of government may be.

"But while this supreme law is in full force, and is binding on all countries, softening the asperities of war, and guarding the rights of neutrals, it is not conceded that the government of the United States, in a civil war for the suppression of rebellion among its own citizens, is subject to the same limitations as though the rebels were a foreign nation, owing no allegiance to the country."

* War Powers, pp. 44.

Having demonstrated that the Government was clothed by the Constitution with the full powers of war, and that the only limitation of these powers were found in the law of nations, and not in the Constitution, the author of "*The War Powers*" proceeds to set forth several important prinples of belligerent law in accordance therewith, and to show that in this rebellion, the Administration was justified in the employment of them all. He showed that the United States had the right to seize and confiscate all the property of the enemy on land and on the sea, including real as well as personal estate. That where property on land was captured from the enemy, capture itself passed the title to the captors, and no judicial proceeding was necessary; but where a prize was captured on the sea, after our declaration of blockade, the decision of a prize court was necessary to confirm the title of the captors. That it would depend upon the *policy of the Government*, whether belligerent citizens should be allowed civil rights under the Constitution, inasmuch as "none of the rights guaranteed to peaceful citizens by the Constitution, belong to them after they have become belligerents against their own government."

"Some persons," says Mr. Whiting, "have questioned whether title passes in this country by capture, or confiscation, by reason of some of the limiting clauses of the constitution; and others have gone so far as to assert that all the proceedings under martial law, such as capturing enemy's property, imprisonment of spies and traitors, and seizures of articles contraband of war, and suspending the *habeas corpus*, are in violation of the constitution which declare that no man shall be deprived of life, liberty, or property without due process of law; * that private property shall not be taken for public use without just compensation;† that unreasonable searches and seizures shall not be made;‡ that freedom of speech and of the press shall not be abridged;§ and that the rights of the people to keep and bear arms shall not be infringed.‖

"THESE PROVISIONS NOT APPLICABLE TO A STATE OF WAR.

"If these rules are applicable to a state of war, then capture of property is illegal, and does not pass a title; no defensive war can be carried on; no rebellion can be suppressed; no invasion can be repelled: the army of the United States, when called into the field, can do no act of hostility. Not a gun can be fired *constitutionally*, because it might deprive a rebel foe of his life without *due process of law*—firing a gun not being deemed a 'due process of law.'

"Sec. 4 of Art. IV. says, that 'the United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them

* Constitutional Amendments, Art. V.
† Ibid, Art. V.
‡ Ibid, Art. IV.
§ Ibid, Art. I.
‖ Ibid, Art. II.

against invasion, and, on application of the legislature, or of the Executive, when the legislature cannot be convened, against domestic violence.'

"Art. I. Sec. 8, gives Congress power to declare war, raise and support armies, provide and maintain a navy; to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion; to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be in the service of the United States.

"If these rules above cited have any application in time of war, the United States *cannot protect* each of the States from invasion by citizens of other States, nor against domestic violence; nor can the army, militia, or navy be used for any of the purposes for which the constitution authorizes or requires their employment. If all men have the right to 'keep and bear arms,' what right has the army of the Union to take them away from the rebels? If 'no man can constitutionally be deprived of his life, liberty or property, without due process of law,' by what right does government seize and hang traitors? By what right does the army kill rebels in arms, or burn their military stores?

"TRUE APPLICATION OF THESE CONSTITUTIONAL GUARANTEES.

"The clauses which have been cited from the amendments to the constitution were intended as declarations of the rights of peaceful and loyal citizens, and safeguards in the administration of justice by the civil tribunals; but it was necessary, in order to give the government the means of defending itself against domestic or foreign enemies, to maintain its authority and dignity and to enforce obedience to its laws, that it should have unlimited war powers; and it must not be forgotten that the same authority which provides those safeguards, and guarantees those rights also imposes upon the President and Congress the duty of so carrying on war, as of necessity to supersede and hold in temporary suspense such civil rights as may prove inconsistent with the complete and effectual exercise of such war powers, and of the belligerent rights resulting from them. The rights of war and the rights of peace cannot co-exist. One must yield to the other. Martial law and civil law cannot operate at the same time and place upon the same subject matter. Hence the constitution is framed with full recognition of that fact; it protects the citizen in peace and in war; but his rights enjoyed under the constitution, in time of peace, are different from those to which he is entitled in time of war.

"WHETHER BELLIGERENTS SHALL BE ALLOWED CIVIL RIGHTS UNDER THE CONSTITUTION DEPENDS UPON THE POLICY OF GOVERNMENT.

"*None of these rights, guaranteed to peaceful citizens by the constitution, belong to them after they have become belligerents against their own government.* They thereby forfeit all protection under that sacred charter which they have thus sought to overthrow and destroy. One party to a contract cannot break it and at the same time hold the other to perform it. It is true that if the government elects to treat them as subjects and hold them liable only to penalties for violating statutes, it must concede to them all the legal rights and privileges which other citizens would have under similar accusations; and Congress must be limited to the provisions of the constitution in legislation against them as citizens. But the fact that war is waged by these miscreants, releases the government from all obligation to make that concession, or to respect the rights of life, liberty, or property of the enemy, because the constitution makes it the duty of the President to prosecute war against them in order to suppress rebellion and repel invasion."

In addition to the right of confiscating enemy's property, a state of civil war confers upon the Government other not less important belligerent rights; and among these rights is that of *seizing and holding conquered territory* by force, and of *instituting* and maintaining *military Government* over it, thereby suspending the ordinary civil administration.

This right was exercised by Mr. Lincoln from the beginning of the war, and was never very seriously questioned.

On this point Mr. Whiting says:

"Any section of this country, which, having joined in a general rebellion, shall have been *subdued* and conquered by the military forces of the United States, may be subjected to military government, and the rights of citizens in those districts are subject to martial law, so long as the war lasts. Whatever of their rights of property are *lost* in and by the war, are lost forever. No citizen, whether loyal or rebel, is deprived of any right guaranteed to him in the Constitution by reason of his subjection to *martial law*, because *martial law*, when in force, is *Constitutional law*. The people of the United States, through their lawfully chosen Commander-in-Chief, have the constitutional right to seize and hold the territory of a belligerent enemy, and to govern it by martial law, thereby superseding the local government of the place, and all rights which rebels might have had as citizens of the United States, if they had not violated the laws of the land by making war upon the country.

"By martial law, loyal citizens may be for a time debarred from enjoying the rights they would be entitled to in time of peace. Individual rights must always be held subject to the exigencies of National safety.

"In war, when *martial law is in force*, the laws of war are the laws which the Constitution expressly authorizes and requires to be enforced. The Constitution, when it calls into action martial law, for the time changes *civil* rights, or rights which the citizen would be entitled to in peace, because the rights of persons in one of these cases are totally incompatible with the obligations of persons in the other. Peace and war cannot exist together; the laws of peace and of war cannot operate together; the rights and procedures of peaceful times are incompatible with those of war. It is an obvious but pernicious error to suppose that in a *state of war*, the rules of martial law, and the consequent modification of the rights, duties, and obligations of citizens, private and public, are not *authorized* strictly under the *Constitution*. And among these rights of martial law, none is more familiar than that of seizing and establishing a military government over territory taken from the enemy; and the duty of thus protecting such territory is imperative, since the United States are obligated to guarantee to each State a republican form of government. That form of government having been overthrown by force, the country must take such steps, military and civil, as may tend to restore it to the loyal citizens of that State, if there be any; and if there be no persons who will submit to the Constitution and laws of the United States, it is their duty to hold that State by military power, and under military rule, until loyal citizens shall appear there in sufficient numbers to entitle them to receive back into their own hands the local government."

A still more severe rule of belligerent law is laid down in relation to enemy's property and enemy's slaves, and the right of seizure of ALL property situated in the enemy's country when necessary for military purposes, and there "*are no limits* to the war making power of the President, other than the law of Nations, and such rules as Congress may pass for their regulation."

"Against all persons in arms, and against all property situated and seized in rebellious districts, the laws of war give the President full belligerent rights; and when the army and navy are once lawfully called out, *there are no limits to the war-making power of the President, other than the law of nations, and such rules as Congress may pass for their regulation.*

"'The Statute of 1807, chap. 39,' says a learned judge, 'provides that whenever it is lawful for the President to call forth the militia to suppress an insurrection, he may employ the land and naval forces for that purpose. The authority to use the army is thus expressly confirmed, but the *manner* in which they are to be used is not prescribed. That is left to the discretion of the President, guided by the usages and principles of civilized war.'"

The right of the President, as a question of law, to emancipate the slaves of any belligerent portion of the United States, was a question of great interest early in the conflict; and was widely discussed by the press, and in Congress. Mr. Lincoln, as we have seen, early came to the conclusion, that as Commander-in-Chief, he possessed that right, and he exercised it.

The argument upon the legality of such exercise is very clearly and ably stated by Mr. Whiting. He says:

"The liberation of slaves is looked upon as a means of embarrassing or weakening the enemy, or of strengthening the military power of our army. If slaves be treated as contraband of war, on the ground that they may be used by their masters to aid in prosecuting war, as employees upon military works, or as laborers furnishing by their industry the means of carrying on hostilities; or if they be treated as, in law, belligerents, following the legal condition of their owners; or if they be deemed loyal subjects having a just claim upon the government to be released from their obligations to give aid and service to disloyal and belligerent masters, in order that they may be free to perform their higher duty of allegiance and loyalty to the United States; or if they be regarded as subjects of the United States, liable to do military duty; or if they be made citizens of the United States, and soldiers; or if the authority of the masters over their slaves is the means of aiding and comforting the enemy, or of throwing impediments in the way of the Government, or depriving it of such aid and assistance in successful prosecution of the war, as slaves would and could afford, if released from the control of the enemy — or if releasing the slaves would embarrass the enemy, and make it more difficult for them to collect and maintain large armies; in either of these cases, the taking away of these slaves from the 'aid and service' of the enemy, and putting them to the aid and service of the United States, is justifiable as an act of war. The ordinary way of depriving the enemy of slaves is by declaring emancipation."

As Mr. Lincoln himself held, it belongs exclusively to the President to judge when the exigency arises in which he has authority to emancipate slaves:

"The Constitution confers on the Executive, when in actual war, full belligerent powers. The emancipation of enemy's slaves is a belligerent right. It belongs exclusively to the President, as Commander-in-Chief, to judge whether he shall exercise his belligerent right to emancipate slaves in those parts of the country which are in rebellion. If exercised in fact, and while the war lasts, his act of emancipation is conclusive and binding forever on all the departments of Government, and on all persons whatsoever.

"IS LIBERATION OF ENEMY'S SLAVES A BELLIGERENT RIGHT?

"This is the chief inquiry on this branch of the subject. To answer it we must appeal to the law of nations, and learn whether there is any commanding authority which forbids the use of an engine so powerful and so formidable — an engine

which may grind to powder the disloyalty of rebels in arms, while it clears the avenue to freedom for four millions of Americans. It is only the law of nations that can decide this question, because the Constitution, having given authority to Government to make war, has placed no limit whatever to the war powers. There is, therefore, no legal control over the war powers except the law of nations, and no moral control except the usage of modern civilized belligerents.

"It is in accordance with the law of nations and with the practice of civilized belligerents in modern times, to liberate enemy's slaves in time of war by military power."

Although the validity of the Proclamation of Emancipation, in consequence of the constitutional amendment, has ceased to be a question of so much practical importance, yet a subject of such vast magnitude will always possess great historic interest. The Proclamation may be defended both as the exercise of a belligerent right, and also as the exercise of a power conferred upon the President, as Commander-in-Chief, by the Constitution. It is clearly in accordance with the practice of civilized nations in modern times, and the law of nations, to liberate slaves of the enemy in times of war. In our own revolution, this power was exercised by England, by at least three of her military commanders: Sir Henry Clinton, Lord Dunmore, and Lord Cornwallis.

General Washington, in speaking of Lord Dunmore's appeal to the slaves, says: "His strength will increase as a snow-ball by rolling, faster and faster, if some expedient be not hit upon to convince the slaves and servants of the impotency of his designs."

Mr. Jefferson, in his letter to Dr. Gordon, concedes the right of Great Britain to call the slaves of the Colonists to their aid, as a war measure. After speaking of the injury done by Cornwallis to his estates, to his crops, his barns, his stock of cattle, sheep, etc., he says he carried off all the horses capable of service, and he adds: "*He carried off also about thirty slaves. Had this been done to give them freedom, he would have done right.* * * * From an estimate made at the time, on the best information I could collect, I suppose the State of Virginia lost, under Lord Cornwallis' hands, that year, about thirty thousand slaves."

Great Britain exercised the same right, in the war of 1812, against the United States. Her naval and military

* Whiting's War Powers, pp. 50, 60, 69.

commanders invited, by proclamation, the slaves to join the British forces, promising them freedom. The slaves who joined them were liberated, and were carried away from the country, contrary to the express terms of the treaty of Ghent. But England preferred to take the responsibility of violating the treaty, rather than to break faith with the negroes. The United States demanded indemnity for the violation of the treaty. This question was referred to the arbitrament of the Emperor of Russia. He decided that indemnity should be paid, not because England had violated the laws of nations in emancipating the slaves, but because she had violated the terms of the treaty.*

In the argument submitted to the Emperor, as the referee, Great Britain assumed the ground that, in war, either party had the right to liberate the slaves of the enemy. Mr. Middleton, our Minister, was instructed by John Quincy Adams, Secretary of State, to deny that right, but Mr. Adams has placed on record the fact that he did so in obedience to the instructions of the President, and against his own opinion.

Great Britain asserted the right to liberate enemies' slaves, as a legitimate mode of carrying on war; a right which she had exercised against her Colonies, which had been used by France against her, and again by her against the United States.

In 1793, St. Domingo was a colony of France, with a population of more than half a million of negroes. Intestine war had been carried on for more than three years between the whites and mulattoes. The slaves had revolted in 1791. The Spaniards formed an alliance with the revolted slaves, invaded the Island, and occupied a portion of it. England was making a treaty with the planters, preparatory to an invasion of the Island. St. Domingo seemed about to be wrested from France. Her force there was feeble. Under these circumstances, the French authorities, in August, 1793, issued a proclamation, under martial law, declaring all the slaves free, and thereby brought them to the support of

*The Emperor "declined to award indemnification for slaves which the British forces carried from other parties not stipulated to be returned." See Wheaton's International Law, edited by Dana, *note* pp. 440-441.

the Government. France recognized the act of the commissioners, and confirmed it, thus recognizing the right under martial law to emancipate the slaves of an enemy. This right has been exercised by several of the South American Republics—by General Morillo, and by Bolivar.

"Slavery was abolished in Columbia," says John Quincy Adams, "by virtue of a military command, given at the head of the army, and its abolition continues to this day."

The United States have recognized the right of its military officers in time of war, to appropriate to the public service the slaves of loyal citizens without compensation therefor:

"'In December, 1814,' says a distinguished writer and speaker, 'General Jackson impressed a large number of slaves at and near New Orleans, and set them at work erecting defences, behind which his troops won such glory on the 8th of January, 1815. The masters remonstrated. Jackson disregarded their remonstrances, and kept the slaves at work until many of them were killed by the enemy's shot; yet his action was approved by Mr. Madison, the Cabinet, and by the Congress, which has ever refused to pay the masters for their losses. In this case, the masters were professedly friends to the Government; and yet our Presidents, and cabinets, and generals have not hesitated to emancipate their slaves, whenever in time of war it was supposed to be for the interest of the country to do so. This was done in the exercise of the war power to which Mr. Adams referred, and for which he had the most abundant authority.'

"In 1836, General Jessup engaged several fugitive slaves to act as guides and spies, agreeing, if they would serve the Government faithfully, to secure to them the freedom of themselves and families. They fulfilled their engagement in good faith. The General gave them their freedom, and sent them to the west. Mr. Van Buren's administration sanctioned the contract, and Mr. Tyler's administration approved the proceedings of the General in setting the slaves and their families free.

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"In 1838 General Taylor captured a number of negroes said to be fugitive slaves. Citizens of Florida, learning what had been done, immediately gathered around his camp, intending to secure the slaves who had escaped from them. General Taylor told them that he had no prisoners but 'prisoners of war.' The claimants then desired to look at them in order to determine whether he was holding their slaves as prisoners. The veteran warrior replied that no man should examine his prisoners for such a purpose; and he ordered them to depart. This action, being reported to the War Department, was approved by the Executive. The slaves, however, were sent west, and set free."

Perhaps the clearest and fullest exposition of the *war powers* of the Government, to be found in any paper, previous to the civil war, is contained in a speech of John Quincy Adams, made in the House of Representatives on the 26th of May, 1836. This speech of this learned jurist and statesman is very remarkable, as containing many of the positions taken by Mr. Lincoln in support of the extraordinary powers he was compelled to use during the war. Mr. Adams said:

"Sir, in the authority given to Congress by the Constitution of the United States to *declare war*, all the powers incidental to war are, by necessary implication, conferred upon the *Government* of the United States. Now, the powers incidental to war are derived, not from their internal municipal source, *but from the laws and usages of nations.*

"There are, then, Mr. Chairman, in the *authority of Congress and of the Executive, two classes of powers, altogether different in their nature, and often incompatible with each other—the war power and the peace power.* The peace power is limited by regulations and restricted by provisions prescribed within the Constitution itself. *The war power* is limited only by the laws and usages of nations. This power is tremendous; *it is strictly constitutional, but it breaks down every barrier so anxiously erected for the protection of liberty, of property, and of life.* This, sir, is the power which authorizes you to pass the resolutions now before you, and, in my opinion, no other. * * * * * * *

"But the war power of Congress over the institution of slavery in the States is yet far more extensive. Suppose the case of a servile war, complicated, as to some extent it is even now, with an Indian war; suppose Congress were called to raise armies, *to supply money from the whole Union to suppress a servile insurrection;* would they have no authority to interfere with the institution of slavery? The issue of a servile war may be disastrous; it may become necessary for the master of the slave to recognize his emancipation by a treaty of peace; can it for an instant be pretended that Congress, in such a contingency, would have no authority to interfere with the institution of slavery, *in any way*, in the States? Why, it would be equivalent to saying that Congress has no constitutional authority to make peace. I suppose a more portentous case, certainly within the bounds of possibility—I would to God I could say, not within the bounds of probability.

"Do you imagine that your Congress will have no constitutional authority to interfere with the institution of slavery, in any way, in the States of this confederacy? Sir, they must and will interfere with it—perhaps to sustain it by war, perhaps to abolish it by treaties of peace; and they will not only possess the constitutional power so to interfere, but they will be bound in duty to do it, by the express provisions of the Constitution itself. From the instant that your slaveholding States become the theatre of a war, *civil, servile, or foreign war*, from that instant the war powers of Congress extend to interference with the institution of slavery, in every way by which it can be interfered with, from a claim of indemnity for slaves taken or destroyed, to the cession of States burdened with slavery to a foreign power.

"I might furnish a thousand proofs to show that the pretensions of gentlemen to the sancity of their municipal institutions under a state of actual invasion and of actual war, whether servile, civil, or foreign, is wholly unfounded, and that the laws of war do, in all such cases, take the precedence. I lay this down as the law of nations. I say that military authority takes, for the time, the place of all municipal institutions, *and slavery among the rest:* and that, under that state of things, so far from its being true that the States where slavery exists have the exclusive management of the subject, not only the President of the United States, but the commander of the army, has power to order the universal emancipation of the slaves."

The right, under the law of nations, to emancipate the slaves of an enemy, will probably not hereafter be seriously questioned. The *duty* of the Executive to do this, under the circumstances which existed when the power was exercised by President Lincoln, as a means of saving the republic, is still more clear.

During the rebellion, and especially in the earlier stages, the question was much discussed, whether the *President* could rightfully suspend the writ of *Habeas Corpus.*

In Great Britain, Parliament alone can suspend the writ; but it has been the practice there, when the national safety requires its suspension and Parliament is not in session, for the Ministers of the Crown to suspend it and make arrests; and on the assembling of Parliament, ask an act of indemnity, and that the writ be suspended.* It is curious to trace the similarity of discussion and of topics in the debates upon bills of indemnity, and authorizing the suspension of the *Habeas Corpus* in the British Parliament, and in the Congress of the United States during the rebellion. When, in 1689, the writ had been suspended in England, in discussing a Bill authorizing a continuance of the suspension, Hampden said: "We are in war, and if we make only use of that as if we were in full peace, you may be destroyed without remedy."

Another member said: "Let the danger be ever so great, I would not dispense with the *Habeas Corpus* but by Parliament."†

The writ has been frequently suspended in England, whenever the Government has been threatened by conspiracy, sedition, or treason. In the recess of Parliament it has been suspended by Ministers of the Crown, but in all cases the sanction of Parliament has been asked and given.

The Constitution of the United States was made by those who had learned their lessons of liberty under the old securities of the British *Magna Charta*, and the "free system of English laws," and it contained this provision: "The privilege of the writ of *Habeas Corpus* shall not be suspended, unless, when in case of rebellion or invasion, the public safety may require it."

In 1807, at the time of Burr's conspiracy, Congress being in session, a bill passed the Senate authorizing the suspension of the writ, but did not pass the House, because before it was acted upon, the necessity for it ceased. It was held by Chief Justice Marshall, in the case of Bollman, that it was for the Legislature to decide *when* "the public safety might require the suspension of the writ."‡

*1 Blackstone's Com. 223. 3 Macauley's England 37

†5 Cobbitt's Parliamentary Debates, 267.

‡See *Ex parte* Bollman, 4 Cranch R,

Arrests were made with the knowledge and at the instance of Washington, during the Revolution, and the officer having the arrested persons in charge refused to obey the writ of *Habeas Corpus* issued by the State Judges. Subsequently, the acts of arrests were sanctioned by the Legislatures of the States in which they occurred.

The law, I think, may be regarded as now settled, that the Executive may, when Congress is not in session, suspend the writ, subject to the approval of Congress.

When, in 1861, the life of the Nation was threatened, and the public safety required the suspension of the writ; when on one side of the Capital, and separated from it only by the Potomac, was Virginia in revolt; and on the other, Maryland, a large portion of her citizens in league with traitors; and Washington itself full of spies and rebels; President Lincoln did, as had been done by William the III. of England, suspend the writ of *Habeas Corpus*, and caused the arrest of such persons, as in his judgment the public safety required. General Banks arrested George P. Kane, Chief of Police of Baltimore, and others; and General McClellan arrested the Maryland Legislature, to prevent them from passing an act of secession; and other parties were arrested in different sections of the country.

Among others, John Merryman, of Baltimore, was arrested while holding a commission from the Rebel Government, and recruiting troops to fight against the Republic.

Chief Justice Taney issued a writ, which General Cadwallader, under instructions from the Secretary of War, refused to obey. The Chief Justice held that the President had not the constitutional right to suspend the writ of *Habeas Corpus*, and that the arrest was illegal.* The sympathies of the Chief Justice were so notoriously with the slaveholders, that his opinion has not received from the Bench or the Bar of the country, the consideration which would have been given to it upon a question of law, not connected with politics.

The Attorney-General, Mr. Bates, gave an able and elabor-

*See McPherson's History, p. 158.

ate opinion, sustaining the right of the President to suspend the privilege of the *Habeas Corpus*, as he was especially charged by the Constitution, with the public safety. He also held that the President as Commander-in-Chief, in carrying on war, might declare martial law, and thus suspend this writ. In this judgment, Horace Binney, a distinguished jurist of Philadelphia, concurred, as did Judge Parsons, who held that the President was vested with discretion to suspend the writ.*

No final action of Congress was had upon the subject, until March, 1863. At the Third Session of the Thirty-Seventh Congress, an act was passed, providing that during the rebellion the President, whenever in his judgment the *public safety might require it*, was authorized to suspend the

* McPherson, p. 162. Judge Parsons says: "The first and most important question is, who may decide when the exigency occurs, and who may, if it occurs, declare martial law. On this point I have myself no doubt. The clause on this subject is contained in the first article of the Constitution, and the article relates principally to Congress. Nor can there be any doubt that Congress may, when the necessity occurs, suspend the right to the writ of *habeas corpus*, or, which is the same thing, declare or authorize martial law. The question is, has the President this power? The Constitution does not expressly give this power to any department of the Government, nor does it expressly reserve it to Congress, although, in the same article, it does make this express reservation as to some of the provisions contained in the article. This may be a mere accidental omission, but it seems to me more reasonable and more consonant with the principles of legal interpretation to infer from it an absence of intention to confine it to Congress. And I am confirmed in this opinion by the nature of the case.

"The very instances specified as those in which the right to *habeas corpus* may be suspended (invasion and rebellion) are precisely those in which the reasons for doing so may come suddenly, the necessity of determination be immediate, and a certainty exist that the suspension will be useless, and the whole mischief which the suspension might prevent, take place if there be any delay. To guard against the suspension by limiting the cases, as is done, seems to me wise; to obstruct it by requring the delay necessarily arising from legislative action would seem to be unreasonable. It is true that my construction gives to the President, in the two cases of rebellion and invasion, a vast power; but so is all military power. It is a vast power to send into a rebellious district 15,000 soldiers, as Washington did, whose duty it is to meet the rebels, and, if necessary, kill as many as they could. But it was a power which belonged to him of necessity as President; and so, I think, did the power of martial law. If it did not, then, when his troops had captured the armed rebels whom they were sent to subdue, the nearest magistrate who could issue a writ of *habeas corpus* might have summoned the officer having them in charge to bring them before him, and might have liberated them at once to fight again, and this as often as they were captured, until a law could be passed by Congress.

"If the power belongs to the President, he may exercise it at his discretion, when either invasion or rebellion occurs, subject, however, to two qualifications: One, a universal one, applicable to his exercise of every power. If he abuses it, or exercises it wrongfully, he is liable to impeachment. The other is more a matter of discretion or propriety. I suppose that he would, of course, report his doings in such a matter to Congress when he could, and be governed by their action."

privilege of the writ of *Habeas Corpus*, in any case, throughout the United States or any part thereof. Another section provided, that any order of the President, or under his authority, made at any time during the present rebellion, should be a defence in all courts to any action or prosecution, civil or criminal, for any arrest or seizure, under or by virtue of such order.* This act has been sustained by the courts.

Much was said during the conflict, much is still said in regard to the *status* of the rebellious States. In the beginning, the rebellion was treated by the Government as an insurrection of "*certain persons*" in the seceding States, but it very rapidly assumed the magnitude of a civil war, involving all residing in the territory of the insurgent States in its consequences, and making that territory, and the authority which controlled it, a public enemy. The insurgents claimed the rights, and became subject, for the time being, to the laws by which belligerents treat each other in time of war. All departments of the Government treated the insurgents as public enemies. The question was settled judicially by the Supreme Court of the United States, in March, 1863.†

The court held "That where the course of justice is interrupted by revolt, rebellion, or insurrection, so that the courts of justice cannot be kept open, civil war exists, and hostilities may be prosecuted on the same footing as if those opposing the Government were foreign enemies." "All persons residing in this territory (the insurgent States) are liable to be treated as enemies. * * * They are none the less enemies because they are traitors."

What rights had the United States over the subjugated territory lately in rebellion? We have seen that President Lincoln, for the time being, governed the territory, exercising all the power over it usually exercised by a conqueror. He did this under the law of nations. He had the right to do it, as a portion of the United States, where the loyal republican government had first been overthrown by a hostile power which made war upon the United States. After conquering and subduing that hostile power, it became his duty

* McPherson, p. 183.

† See the case of the Hiawatha, 7 Black's Rep., 667, etc.

to govern the country, subject, of course, to the control of Congress, until republican State Governments, loyal to the Union, could be reëstablished.

Among the cases decided by the Supreme Court, bearing on this subject, are the following: The case of Fleming *vs.* Page.* In this case, the United States, being at war with Mexico, conquered and took possession of the State of Tamaulipas, and the court held that it was, for the time being, under the military government of the President. He, by his subordinates, established a Custom House, and collected duties, and these impositions were held valid by the Supreme Court. In the case of Cross *vs.* Harrison, 16 Howard Rep., 187, San Francisco, in California, having been captured by the United States, the President authorized the military and naval commanders of our forces to form a civil government for the conquered territory, and to impose duties on imports, etc.

Subsequently, California was ceded by treaty to the United States, and the military authority and government continued. The court held, among other things, that the President might dissolve that authority by withdrawing the army, and that "*Congress might have put an end to it.*" This not having been done, the acts of the military authorities imposing and collecting duties were held valid.

The same principles were applied and sustained in the government of New Mexico.

"Upon the acquisition, in the year 1846, by the arms of the United States, of the Territory of New Mexico, the civil government of this Territory having been overthrown, the officer, General Kearney, holding possession for the United States in virtue of the power of conquest and occupancy, and in obedience to the duty of maintaining the security of the inhabitants in their persons and property, ordained under the sanction and authority of the United States *a provisional* or temporary government for the acquired Territory. * * * By the substitution of a new supremacy, although the former political relations of the inhabitants were dissolved, their private relations, and their rights

* 9 Howard Rep., 614.

arising from contract or usage, remained in full force and unchanged, *except as far as they were in their nature and character found to be in conflict with the Constitution and laws of the United States, or with any regulations which the conquering and occupying authority should retain.*"*

Such is the law of nations as expounded by the Supreme Court of the United States, and sustained by the highest judicial authorities everywhere. In accordance with the principles sanctioned by these decisions, and the action of the administration of both President Lincoln and his successor, it may be assumed as settled, that the Confederates were public enemies, the Rebel Governments, both State and Confederate, having been overthrown, the United States, in obedience to the duty of maintaining the security of the inhabitants in their persons and property, and to carry out the obligation to guarantee to each State, a government, republican in form, and to restore them ultimately to the Union, rightfully ordained provisional governments for the rebellious territory.

Much of the confusion and difference of opinion among the people in regard to the condition or *status* of the Rebel States, has arisen from the ambiguity of language. Upon the much mooted question whether the Rebel States were in the Union or out of it, during and at the close of the war, there is probably really less difference of opinion among contending parties, than the persons composing those parties suppose.

The *land* of the eleven seceding States has always constituted a part of the United States, and has never been out of the Union; nothing but successful revolution could take it out. But "*a State*," within the meaning of the Constitution, as a State entitled to representation in Congress, and to participate in the Electoral Colleges, is *the corporation* formed by the people for the purpose of local State Government. Were the eleven seceding State *corporations*, which made up the Confederacy during the war, States in the Union! Each of them had, as a corporation, withdrawn from the Union, organized a *de facto* State Government in hostility to the Union, and was to the extent of their ability, carrying

* 20 Howard S. C. Rep., 176.

on war against it. Were these *de facto* State Governments at that time States in the Union, and entitled to representation in Congress, and to vote in the Electoral Colleges? All will answer no. So the courts, and every department of the Government have always held.

When these Rebel Governments, State and Confederate, were overthrown, in what way were new, loyal, and republican State Governments to be organized? The State Governments existing before the war, had rebelled, and constituted the State Government *de facto* during the war, and being now overthrown, there were no State Governments remaining in the territory lately in rebellion. The President, in his proclamations appointing Provisional Governors, after the surrender of Lee and Johnston, says that the rebellion had "*deprived the people of these States of all civil government.*" When in the spring and early summer of 1865, the *de facto* Governors of States lately in rebellion, issued proclamations, calling the *de facto* Legislatures of the States to meet, the military authorities of the United States prohibited such meetings, deposed the Governors and other officers, and appointed others in their place, and required that proceedings to establish civil government should start fresh and new from the loyal people, under the authority and direction of the National Government. Not only this, but the President in his proclamation, declared all acts and proceedings of the political, military, and civil organizations "of the late Confederate and State Governments null and void." *

The right to impose conditions upon the people of the States lately in rebellion, is scarcely questioned by any loyal man; what department of the National Government shall determine what those conditions shall be, is a question about which there is greater difference of opinion. The administration of Andrew Johnson dictated to the seceding States the leading provisions which they were required to incorporate into their new State Constitutions. They were required, among other things, to ratify the Constitutional amendment prohibiting slavery, and to repudiate the rebel debt. Mr. Seward, Secretary of State, wrote to Provisional Governor Perry, of South Carolina, under date of November 6, 1865,

* See Proclamation of May 9, 1865

"The President considers the acceptance by South Carolina of the amendment, (Constitutional amendment abolishing slavery) *as indispensable* to a restoration of her relations with the other States of the Union."

The question has assumed very grave importance, whether, under the Constitution, it was the duty of the President, or Congress, to prescribe the terms and conditions upon which he States lately in rebellion might return to the Union. Whatever in this direction was done by Mr. Lincoln, was always done subject to the approval and sanction of Congress; and his successor, up to a late day in 1865, seems to have proceeded upon the same idea.

The Secretary of State, under direction of the President, on the 12th of September, 1865, wrote to Provisional Governor Marvin, of Florida, "It must be, however, distinctly understood that *the restoration* to which your proclamation refers, *will be subject to the decision of Congress.*"

Is the duty of prescribing terms and conditions upon which the lately rebellious people of the seceding States may eturn to the Union, an Executive, or a Legislative act? Who s to judge whether a people presenting a Constitution, and asking recognition and admission into the Union, have adopted a Constitution republican in form?

This question has been settled by the Supreme Court of the United States, by Congress, and by the people. Whether a State, appearing with her Senators and Members, has a Constitution, republican in form, and whether she shall be admitted, is a question which must be settled by the law-making power—Congress, with the approval of the President, or, by Congress passing a bill, nothwithstanding the objections of the President.

This question was settled by the Supreme Court, in the celebrated Rhode Island case.* This case arose from an attempt made by a part, perhaps a majority, of the people of that State, to set up a new State Government, formed by the voluntary act of the people, without any enabling act either of Congress or the State; and which, in its attempt, met with armed resistance from the existing State Government.

*Luther v. Borden, 7 Howard's R. p. 1.

The Supreme Court, after quoting Section 4 of Article IV. of the Constitution, says: "Under this article of the Constitution, *it rests with Congress* to decide what government is the established one in a State; for, as the *United States* guarantee to each State a republican government, Congress must necessarily decide what government is established in a State before it can determine whether it is republican or not; and when the Senators and Representatives of a State are admitted into the councils of the Union, *the authority of the Government under which they are appointed*, as well as its republican character, are recognized *by the proper constitutional authority*, and its decision is binding *upon every other department of the Government.*"

This is in accordance with the uniform practice of the Government in regard to the admission of Territories.

From this brief and imperfect sketch, or outline, of the *war powers*, claimed and exercised during the rebellion, it is obvious that many of them were novel, and some of them widely conflicting with public opinion formed in the quiet days of peace. President Lincoln assumed the exercise of these great powers cautiously, often reluctantly, unwilling, except under the pressure of supreme necessity, to establish precedents so liable to abuse by more ambitious, unscrupulous, and arbitrary successors.

The action of the Government during the rebellion established the fact to all, that our republican institutions, while affording the amplest security and protection to the citizen in time of peace, was as powerful and as efficient as a more arbitrary government in time of civil war. That the Commander-in-Chief and the war-making power had control over the resources, the men, material, and money of the Republic, and that our Government was as able and efficient as any to suppress insurrection and cope with civil war.

The world beheld with surprise, and some astonishment, a free Republic, acting in accordance with its organic law as embodied in its written Constitution, contending against more than eight millions of its rebellious subjects; wielding vast armies and navies; controlling and concentrating, wth unsurpassed energy, the immense physical resources of twenty millions

of loyal subjects, and using them with complete success; and doing this through the same instrumentality which, in time of peace, had advanced the growth, prosperity and grandeur of the American people more rapidly than was ever before known in the history of nations. There can, I think, be no doubt, that the conviction of the strength of our republican form of government, founded upon a just appreciation of what it has done, and especially of its war powers under the Constitution, contributed greatly to the determination by foreign governments not to interfere in our affairs.

The terrible events of the war have educated the people to broader and wiser views of the character of our Constitutional Government. The great body of the people have been brought to entertain new views of their Constitution, and to respect and revere it more highly than ever. They have learned, in the trials of the late contest, that the rights, privileges, and immunities of States and citizens in the time of peace, are materially modified in time of war; that people and States which make war upon the Government, become public enemies, and thus repudiating, lose the rights guaranteed to them in time of peace under the Constitution, and are to be treated in accordance with the laws of war. These doctrines, before the termination of the war, were adopted and acted upon by the President, the Cabinet, by Congress and by the Supreme Court.

Although it is difficult to define with exact precision all that has been settled by the war, yet most of the following propositions have been adopted by the President, the Cabinet, Congress, and the Supreme Court, and few of them, it is believed, will be questioned hereafter:

First, That the Constitution of the United States, and the laws made in pursuance thereof, are the supreme law of the land, anything in the Constitution and laws of any State to the contrary notwithstanding.

Second, That the United States constitute one Nation; that the States are subordinate parts of the one Republic; that allegiance to the National Government is constitutionally due from every citizen; and that no State can by secession, nullification, nor by any act short of successful revolution,

absolve any citizen from that allegiance and the obligation to obey the laws of the Nation.

Third, That States and citizens of States rebelling against and making war upon the United States, become public enemies, and are not entitled while such, to set up the privileges of citizens, under the Constitution, to shield them from liability as public enemies.

Fourth, That the right to emancipate the slaves of a public enemy, in time of war, is legal according the law of nations.

Fifth, The Rebel States having withdrawn from the Union, and having through their State Governments in their corporate capacity, set up a hostile Government *de facto*, upon the soil of the United States, and organized a Confederate Government *de facto* within its jurisdiction, it became the duty of the National authorities to overthrow and subjugate these usurping and hostile Governments and expel them from their territory.

Sixth, Such hostile *de facto* Governments, State and Confederate, being overthrown and expelled, it thereupon became the duty of the United States to govern the territory constituting the insurgent States, until Governments, republican in form could be organized and established in such States.

Seventh, That during the continuance of war, and while such hostile State and Confederate *de facto* Governments were in existence, they were not entitled to participate in the Government they were thus seeking to overthrow. When such hostile organizations were subjugated, it became the duty of the United States to organize, establish, and guarantee to such States, State Governments republican in form; and that until such new State Governments were organized, loyal to the Union, and republican in form, of which Congress must determine, such portions of the Union are not of their own motion, and independent of the action of Congress, entitled to representation in Congress or participation in the Electoral College. In the language of Mr. Lincoln, it is for Congress to say "when or whether members should be admitted to seats in Congress from those States." *

* That secession and nullification are treason, has been established by the judiciary of last resort, the conflict of arms. That which would have been done by Mr. Lincoln, had he lived, and what was expected on the accession of Mr. Johnson,

The national authority vindicated by war and established by victory, is now placed on solid foundations, maintaining the rights of the States to manage their local affairs, our Government in the hands of a pure and wise man, like Lincoln, is the strongest and best in the world. It is the strongest, because its officers are the servants of the people, and the Constitution is the highest expression of the will of the people; and the war has shown that the people will rise to its support and maintenance with an energy unknown under any other form of government. When before have the people rose by the million, and voluntarily gone into the army to sustain a government? When before have any people assumed voluntarily such enormous pecuniary burdens to

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was a solemn, imposing judicial trial, conviction, and sentence of traitors. The one act of his life to which Mr. Andrew Johnson owed the Vice Presidency, was the bold denunciation of traitors which he uttered in the Senate on the 2d of March, 1861. The people, when he entered the Executive Chair, remembered that he then and there said, "were *I President*, I would do as Jefferson did in 1806, with Aaron Burr. I would have them (the conspirators) arrested, and if convicted within the meaning and scope of the Constitution, *by the eternal God I would execute them.*" (Congressional Globe, Second Session, Thirty-sixth Congress, p. 1354.)

He did not for a few weeks after his accession permit the people to forget these declarations. In his reply to the Illinois delegation, and on other occasions his language was so vehement, passionate and denunciatory against traitors that considerate people feared an excess of violence, and an absence of the sobriety, dignity and decorum which should ever characterize the Magistrate in the administration of justice. By what means the President has been induced to take to his confidence as his most trusted advisers, those whom he threatened to hang as traitors, it is not my purpose now to investigate. But the thoughtful people of the United States anticipated not for the purpose of vengeance, but for the influence of example to make treason "*odious*," and to deter in future, bold, bad and ambitious men from stirring up civil war; that the decision of the sword would be affirmed by the most imposing State trial in modern times. The world cannot yet be governed without punishing crime—and there is no way by which crime can so effectually be made "*odious*" as by hanging a criminal. But this apparently is not to be. In the present condition of affairs, with the President on the side of the prisoner, it would be a failure and a farce.

There will be probably no judicial trial. The spectacle will be presented, of a conspiracy covering a whole continent with blood, a rebellion carrying death and desolation throughout the land, without one convicted criminal, or one judicial sentence.

Those who plotted treason in the Cabinet and in Congress, those pledged to loyalty by official oaths, the soldiers who deserted their flag, those who were responsible for the horrors of Andersonville and the butchery at Fort Pillow, are all to be forgiven, restored to their forfeited rights, and their treason, instead of being made odious, is to be considered honorable and heroic. The most guilty are to be the most honored; while the faithful Union men are to be driven into exile by persecution and social ostracism! The leading traitors are to be canonized and held up as examples for the young to emulate and follow. Robert E. Lee is President of a college, and Raphael Semmes a professor and teacher of moral philosophy!

maintain the integrity of a nation? In war, as in peace, the popular will, constitutionally expressed, is sovereign.

While the Constitution protects the rights of the humblest citizen in time of peace, in time of war it calls into action and concentrates all the physical resources of the country against a public enemy, by evoking the war powers of the Constitution as now interpreted by the ablest statesmen and most learned jurists of the Republic.

The trial of the Constitution has thus far been a triumphant success. It has passed successfully through the terrible trial of the great civil war, and thus far has stood the still more fearful ordeal to which it has been subjected since the martyrdom of Lincoln. What dangers it will encounter in the immediate future, what new perils arising from the obstinacy, temper, treachery, or ambition of rulers, none can clearly foresee. But those who, during the last six eventful years, have traced in all our national affairs the guiding, overruling hand of Almighty God, ofttimes bringing good out of apparent evil; those who have watched the generous patriotism, and the instinctive wisdom, sagacity and good sense, and the sublime love of country and of liberty which have marked the conduct of the American people, will "never despair of the Republic." God and the people will save our country, in spite of the wickedness of traitors and the treachery of rulers.

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